

MONDAY, APRIL 13, 2015

TWENTY-SECOND LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by John Ross, St. John's Episcopal Cathedral, Knoxville, TN.

Representative Daniel led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 94

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 94

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Carr; illness

PRESENT IN CHAMBER

Reps. Sparks and Womick were recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 16 Rep. Hardaway as prime sponsor.

1042

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

House Joint Resolution No. 315 Reps. Fitzhugh and Shepard as prime sponsors.

House Bill No. 20 Reps. Terry and Hardaway as prime sponsors.

House Bill No. 32 Reps. Hardaway, Smith, Powers, Sparks and Armstrong as prime sponsors.

House Bill No. 151 Reps. Lollar and Hazlewood as prime sponsors.

House Bill No. 197 Reps. Gravitt, Kane and Hardaway as prime sponsors.

House Bill No. 212 Rep. Hardaway as prime sponsor.

House Bill No. 238 Rep. Hazlewood as prime sponsor.

House Bill No. 269 Rep. Hardaway as prime sponsor.

House Bill No. 404 Rep. Hardaway as prime sponsor.

House Bill No. 425 Reps. Kumar, Hazlewood, Howell, Harwell, D. White, Byrd, M. White, Windle, Durham, Powers, Favors, Hardaway, Stewart, Lundberg, K. Brooks, Miller, Powell, Dunlap, H. Brooks as prime sponsors.

House Bill No. 494 Reps. Hardaway and Akbari as prime sponsors.

House Bill No. 496 Reps. Hardaway, Akbari and Parkinson as prime sponsors.

House Bill No. 583 Rep. Daniel as prime sponsor.

House Bill No. 730 Rep. Rogers as prime sponsor.

House Bill No. 745 Reps. Moody, Eldridge, C. Sexton, Todd, McManus, Durham, Sparks and Wilburn as prime sponsors.

House Bill No. 787 Reps. Gravitt, Hazlewood, Reedy, Farmer, Sparks and Durham as prime sponsors.

House Bill No. 803 Rep. Johnson as prime sponsor.

House Bill No. 808 Rep. Hardaway as prime sponsor.

House Bill No. 1165 Rep. Hardaway as prime sponsor.

House Bill No. 1225 Reps. Gilmore, Cooper, Hardaway as prime sponsors.

House Bill No. 1239 Reps. Hazlewood, Hardaway, Turner, Akbari, Todd and Towns as prime sponsors.

**MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

House Bill No. 1312 Rep. Hardaway as prime sponsor.

House Bill No. 1336 Reps. Hardaway, Akbari and Camper as prime sponsors.

House Bill No. 1341 Reps. Moody, Eldridge, Goins, Wilburn, Sparks and Todd as prime sponsors.

House Bill No. 1355 Rep. Hazlewood as prime sponsor.

ENROLLED BILLS

April 10, 2015

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 162, 234, 235, 236, 238, 239, 240, 241, 242, 243, 244, 245, 246 and 247; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

SIGNED

April 10, 2015

The Speaker announced that she had signed the following: House Joint Resolutions Nos. 162, 234, 235, 236, 238, 239, 240, 241, 242, 243, 244, 245, 246 and 247.

GREG GLASS, Chief Engrossing Clerk

ENROLLED BILLS

April 10, 2015

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 6, 52, 314, 330, 670, 699, 796, 830, 865, 874, 968, 987, 1003, 1125, 1377 and 1386; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 10, 2015

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 162, 234, 235, 236, 238, 239, 240, 241, 242, 243, 244, 245, 246 and 247; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

REPORT OF CHIEF ENGROSSING CLERK
April 10, 2015

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 162, 234, 235, 236, 238, 239, 240, 241, 242, 243, 244, 245, 246 and 247; for his action.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE GOVERNOR
April 10, 2015

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 23, 75, 229, 230, 232 and 233; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

MESSAGE FROM THE SENATE
April 13, 2015

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 97; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 97** -- Drugs, Prescription - As introduced, clarifies and adds to present law licensure requirements for persons who provide warehousing or third-party logistics services with regard to controlled substances. - Amends TCA Title 53, Chapter 11, Part 3; Title 63, Chapter 10, Part 2 and Title 63, Chapter 10, Part 3. by *Norris, *McNally. (HB86 by *McCormick, *Brooks K)

MESSAGE FROM THE SENATE
April 13, 2015

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 92; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 92** -- Environment and Conservation, Department of - As introduced, makes various changes to the regulation of petroleum underground storage tanks and waste. - Amends TCA Title 68, Chapter 211, Part 1; Title 68, Chapter 212 and Title 68, Chapter 215, Part 1. by *Norris, *Southerland, *Ketron. (HB81 by *McCormick, *Brooks K, *Calfee)

MESSAGE FROM THE SENATE
April 13, 2015

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 289; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 289 -- Memorials, Death - Robert Lynn Crosslin. by *Bailey.

MESSAGE FROM THE SENATE
April 13, 2015

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 294; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 294 -- Memorials, Death - Susan Kaye King Goodman. by *Roberts.

MESSAGE FROM THE SENATE
April 13, 2015

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 280; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 280 -- Controlled Substances - As introduced, redefines "marijuana" to exempt low-THC cannabis oil obtained in another state; creates a Class C misdemeanor offense of possession of unlabeled low-THC cannabis oil without proof it was obtained legally. - Amends TCA Title 39, Chapter 17, Part 4 and Title 43, Chapter 26. by *Massey, *Niceley, *Kyle, *Bowling, *Gardenhire. (*HB197 by *Faison, *Jernigan, *Parkinson, *Carter, *Goins, *Sexton J, *White M, *Akbari, *Miller, *Hulsey, *Clemmons, *Favors, *Durham)

MESSAGE FROM THE SENATE
April 13, 2015

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 720; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 720** -- Criminal Procedure - As introduced, expands a court's ability to admit into evidence a video recording of a forensic interview with a child to include an interview conducted by a forensic interviewer employed by a child advocacy center that is not a nonprofit corporation. - Amends TCA Section 9-4-213 and Section 24-7-123. by *Green. (HB808 by *Pitts)

MESSAGE FROM THE SENATE
April 13, 2015

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 1110; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 1110** -- Firearms and Ammunition - As introduced, prohibits the use of any public funds, personnel, or property to enforce any federal law or regulation that regulates the ownership, use, or possession of firearms, ammunition, or firearms accessories. - Amends TCA Title 38, Chapter 3. by *Briggs, *Stevens, *Yager. (HB1341 by *Weaver, *Womick, *Rogers, *Hill T, *VanHuss, *Butt, *Durham, *Terry, *Holt, *Keisling, *Byrd, *Reedy)

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Daniel was recognized in the Well to honor the Webb School of Knoxville girls' basketball team.

RESOLUTION READ

The Clerk read House Joint Resolution No. 246, adopted April 2, 2015.

House Joint Resolution No. 246 -- Memorials, Sports - Webb School of Knoxville girls' basketball team TSSAA Division II Class A state champions. by *Daniel, *Sexton C, *Kane, *Smith, *Armstrong, *Brooks H, *Dunn, *Haynes.

RECOGNITION IN THE WELL

Representative C. Sexton was recognized in the Well to honor Susan Smith with a Proclamation upon her retirement from the Election Commission.

INTRODUCTION OF RESOLUTIONS

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

On motion, pursuant to **Rule No. 17**, the following resolutions listed were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 180** -- General Assembly, Statement of Intent or Position
- Commending Taiwan. by *Rogers.

House State Government Committee

***House Joint Resolution No. 203** -- General Assembly, Statement of Intent or Position
- To support passage of the STEM Education Act (H.R. 1020). by *Gilmore, *Brooks H, *DeBerry, *Hawk, *White M.

House Education Instruction & Programs Committee

***House Joint Resolution No. 211** -- General Assembly, Statement of Intent or Position
- Encourages public awareness of the use of umbilical cord blood and placenta blood banking, supports the expansion of existing research in the area of umbilical cord blood and placenta blood banking, and encourages exploration into additional stem cell research. by *Jernigan, *Faison.

House Health Committee

***House Joint Resolution No. 218** -- General Assembly, Statement of Intent or Position
- To support use of science-based data to assess the impacts and regulation of modern agricultural technologies. by *Brooks K, *Holt.

House Agriculture and Natural Resources Committee

***House Joint Resolution No. 231** -- Naming and Designating - Designates the Barrett Model M82/M107 as the official rifle of the State of Tennessee. by *VanHuss, *Terry, *Hill T, *DeBerry, *Matlock, *Hill M, *Keisling, *Holsclaw, *Holt, *Brooks K, *Calfee, *Byrd, *Carter, *Mitchell, *Spivey, *Sexton J, *Ragan, *Rogers, *Powers, *Pody, *Matheny, *Jernigan, *Littleton, *Eldridge, *Lamberth, *Forgety, *Hulsey, *Goins, *Towns, *Johnson, *Windle, *Sparks, *Lundberg, *Sanderson, *Ramsey, *Camper.

House State Government Committee

***House Joint Resolution No. 248** -- State Symbols - Adopts "Echoes from a Soldier's Grave" as an official veterans poem of the state. by *Byrd.

House State Government Committee

***House Joint Resolution No. 271** -- Naming and Designating - Designates the first Saturday in December as "The Day to Remember the Battle of Sugar Creek" in Tennessee. by *Doss.

House State Government Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 14, 2015:

House Resolution No. 47 -- Memorials, Interns - Rachel-Rebekah Brown. by *Sexton C.

House Resolution No. 48 -- Memorials, Interns - Brittany Victoria Cobble. by *Lundberg.

House Resolution No. 49 -- Memorials, Congratulations - Nelson Lundberg, high school graduation. by *Lundberg.

House Resolution No. 50 -- Memorials, Interns - James Maxwell Helms. by *Pitts.

House Resolution No. 51 -- Memorials, Recognition - Andy Adkins. by *Doss.

House Resolution No. 52 -- Memorials, Professional Achievement - Jeffrey Hughes, Association of Government Accountants Emerging Leader Award of Excellence. by *Doss.

House Resolution No. 53 -- Memorials, Recognition - Ivan Johnston. by *Doss.

House Resolution No. 54 -- Memorials, Death - Frank Freels. by *Rogers.

House Resolution No. 55 -- Memorials, Recognition - The "Gospel Advocate," 160th anniversary. by *Harwell, *DeBerry, *Dunlap, *White M, *Butt.

House Joint Resolution No. 296 -- Memorials, Academic Achievement - Kailye Ball, Salutatorian, Cosby High School. by *Faison.

House Joint Resolution No. 297 -- Memorials, Academic Achievement - Michaela Williamson, Valedictorian, Cosby High School. by *Faison.

House Joint Resolution No. 298 -- Memorials, Academic Achievement - Kellie Sueann Thornton, Salutatorian, Cocke County High School. by *Faison.

House Joint Resolution No. 299 -- Memorials, Academic Achievement - Megan Amber Southerland, Top Four student, South Greene High School. by *Faison.

House Joint Resolution No. 300 -- Memorials, Academic Achievement - Maggie Crowell, Valedictorian, Lebanon High School. by *Lynn.

House Joint Resolution No. 301 -- Memorials, Public Service - Randall Ross Nichols. by *Fitzhugh.

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

House Joint Resolution No. 302 -- Memorials, Academic Achievement - Tyler Green, Valedictorian, Spring Hill High School. by *Butt.

House Joint Resolution No. 303 -- Memorials, Academic Achievement - Megan Garnik, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 304 -- Memorials, Academic Achievement - Jhanna Fields, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 305 -- Memorials, Academic Achievement - Teri Lee Trumitch, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 306 -- Memorials, Academic Achievement - Maddie Graves, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 307 -- Memorials, Academic Achievement - Jordan Pruitt, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 308 -- Memorials, Academic Achievement - Katie Hall, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 309 -- Memorials, Academic Achievement - Michael Mackezyk, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 310 -- Memorials, Academic Achievement - Danielle Calvert, Top Ten Student, Spring Hill High School. by *Butt.

House Joint Resolution No. 311 -- Memorials, Personal Occasion - Joyce Ann Cook Travis. by *Travis.

House Joint Resolution No. 312 -- Memorials, Recognition - Annie Laura Jennings. by *Fitzhugh.

House Joint Resolution No. 313 -- Memorials, Sports - Haywood High School boys' basketball team, TSSAA Division I Class AA State Champions. by *Fitzhugh.

House Joint Resolution No. 314 -- Memorials, Professional Achievement - Timothy L. Amos, 30 years with the Tennessee Bankers Association. by *Fitzhugh.

House Joint Resolution No. 317 -- Memorials, Academic Achievement - Kaelynn Autumn Stewart, Top Four student, South Greene High School. by *Faison.

House Joint Resolution No. 318 -- Memorials, Academic Achievement - Kaylee Madison Giles, Valedictorian, Cocke County High School. by *Faison.

House Joint Resolution No. 319 -- Memorials, Academic Achievement - Logan Lee Tweed, Top Four student, South Greene High School. by *Faison.

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

House Joint Resolution No. 320 -- Memorials, Sports - Jake Williams, NAIA wrestling national champion. by *Pody.

House Joint Resolution No. 321 -- Memorials, Academic Achievement - Lynzie Jones, Valedictorian, Red Boiling Springs High School. by *Keisling.

House Joint Resolution No. 322 -- Memorials, Recognition - Jason Allen Price and John Colby Eledge. by *Doss.

House Joint Resolution No. 323 -- Memorials, Recognition - To commemorate "Prader-Willi Syndrome Awareness Month" in Tennessee. by *Calfee.

House Joint Resolution No. 324 -- Memorials, Recognition - Steering committee for establishment of Tennessee Hall of Fame. by *Pitts, *Reedy, *Johnson.

House Joint Resolution No. 325 -- Memorials, Recognition - Viola Church of Christ, 125th anniversary homecoming. by *Matheny.

House Joint Resolution No. 326 -- Memorials, Retirement - Richard Rowe, Sweetwater City School Board. by *Matlock, *Forgety.

House Joint Resolution No. 327 -- Memorials, Public Service - Bennie Moser, Sweetwater City School Board. by *Matlock, *Forgety.

House Joint Resolution No. 328 -- Memorials, Retirement - Letha Oggs, Sweetwater City School Board. by *Matlock, *Forgety.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for April 14, 2015:

Senate Joint Resolution No. 289 -- Memorials, Death - Robert Lynn Crosslin. by *Bailey.

Senate Joint Resolution No. 294 -- Memorials, Death - Susan Kaye King Goodman. by *Roberts.

RESOLUTIONS LYING OVER

On motion, the resolutions listed were referred to the appropriate Committee:

***Senate Joint Resolution No. 107** -- General Assembly, Statement of Intent or Position - Opposes a "National School Board.". by *Ketrone, *Bailey, *Bowling, *Massey.

House Education Administration and Planning Committee

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Joint Resolution No. 130** -- Naming and Designating - Designates May 2015 as Syringomyelia Awareness Month in Tennessee. by *Overbey.

House Health Committee

***Senate Joint Resolution No. 131** -- Naming and Designating - Designates April 28, 2015, as "National Clean Comedy Day" in Tennessee. by *Overbey, *Southerland.

House State Government Committee

***Senate Joint Resolution No. 140** -- Memorials, Recognition - Recognizing the women in STEM during Women's History Month. by *Gresham.

House Education Instruction and Programs Committee

***Senate Joint Resolution No. 142** -- General Assembly, Statement of Intent or Position - Urges the State Board of Education to approve teacher training programs for occupational teacher licensure that utilize online components in delivery method. by *Tracy.

House Education Instruction and Programs Committee

***Senate Joint Resolution No. 166** -- General Assembly, Statement of Intent or Position - Expresses support for appropriate action to be taken to enable the Ocoee River to maintain its status as the nation's most popular whitewater destination. by *Bell.

House Agriculture and Natural Resources Committee

***Senate Joint Resolution No. 170** -- General Assembly, Statement of Intent or Position - Condemns the Boycott, Divestment, and Sanctions movement and increasing incidents of anti-Semitism. by *Gresham, *McNally, *Ketron, *Hensley, *Harper, *Stevens, *Norris, *Green, *Johnson, *Beavers, *Bell, *Bowling, *Briggs, *Crowe, *Roberts, *Southerland, *Tracy, *Yager, *Bailey, *Haile, *Harris, *Kyle.

House State Government Committee

***Senate Joint Resolution No. 241** -- Naming and Designating - Margaret "Maggi" Britton Vaughn, Poet Laureate of Tennessee.. by *Tracy.

House State Government Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1398 -- Newport - As introduced, subject to local approval, reduces the number of city utility board members, from seven to five, as terms expire; clarifies that the city's utility board shall operate as a separate unit of municipal government, free from the jurisdiction, direction, and control of any city or county officers and of the city council; and creates the position of vice mayor. - Amends Chapter 104 of the Acts of 1903; as amended and rewritten. by *Faison.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 108** -- Motor Vehicles, Titling and Registration - As introduced, revises provisions related to titling and registering vehicles. - Amends TCA Title 55, Chapter 2; Title 55, Chapter 4 and Title 55, Chapter 6. by *Norris, *Tracy. (HB97 by *McCormick, *Brooks K)

***Senate Bill No. 379** -- Utilities, Utility Districts - As introduced, requires a properly notified operator to stake or mark the approximate location of underground utilities on land to be excavated within three hours instead of two hours. - Amends TCA Title 4, Chapter 29 and Title 65. by *Ketron, *Bowling. (HB1337 by *Swann, *Wirgau, *Marsh)

***Senate Bill No. 537** -- Students - As introduced, prohibits an LEA from requiring more than the minimum graduation requirements for students enrolling or transferring in the 10th grade or later who are in the custody of the department of children's services to receive a full diploma. - Amends TCA Title 49, Chapter 6, Part 60. by *Gresham. (HB567 by *DeBerry)

***Senate Bill No. 588** -- Education - As introduced, allows a school that has been classified as a priority school to have one year to address and improve the factors that led to the school being in the bottom five percent before the commissioner imposes various interventions upon the school. - Amends TCA Section 49-1-602. by *Tate, *Bowling, *Gardenhire, *Harper. (HB735 by *Love, *Pitts, *Beck, *Shepard, *Cooper, *Towns, *Akbari, *Favors, *Hardaway)

***Senate Bill No. 758** -- Education - As introduced, prohibits the placement of a school identified as a priority school in the achievement school district if the school makes certain improvements before being assigned to the achievement school district. - Amends TCA Title 49. by *Tate, *Dickerson. (HB921 by *Akbari)

***Senate Bill No. 932** -- Drugs, Synthetic or Analogue - As introduced, adds certain synthetic cannabinoids to the list for which it is an offense to knowingly produce, manufacture, distribute, possess, or possess with intent to produce, manufacture, or distribute. - Amends TCA Section 39-17-438. by *Bowling, *McNally, *Briggs. (HB1173 by *White D)

Senate Bill No. 1012 -- Law Enforcement - As introduced, permits any permanent legal resident of the United States who is an honorably discharged veteran of the United States armed forces to be employed as a police officer. - Amends TCA Title 5; Title 6; Title 7; Title 8 and Title 38, Chapter 8, Part 1. by *Dickerson, *Briggs, *Gardenhire, *Harris, *Massey, *Yarbro. (*HB765 by *Powell)

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Bill No. 1109 -- Taxes, Litigation - As introduced, permits Knox County to impose a litigation tax of \$5.00 on all criminal cases upon adoption of a resolution by 2/3 majority of the county legislative body; requires the revenue collected from the litigation tax to be used exclusively for the funding of courts with criminal jurisdiction. - Amends TCA Title 67, Chapter 4, Part 6. by *Briggs. (*HB1005 by *Haynes, *Brooks H)

Senate Bill No. 1172 -- Weights and Measures - As introduced, establishes units of measurement based on the gasoline gallon equivalent for selling natural gas motor fuels. - Amends TCA Title 47, Chapter 26. by *Stevens. (HB1167 by *Halford)

Senate Bill No. 1246 -- Education - As introduced, requires the local school board to create a policy that excuses students who request to attend a released time course in religious moral instruction taught by a sponsoring entity off school property. - Amends TCA Title 49, Chapter 2, Part 1. by *Bailey (HB834 by *Powers)

Senate Bill No. 1265 -- Criminal Procedure - As introduced, specifies that the defendant in a criminal case may not waive the defendant's right to a preliminary hearing without the consent of the state. - Amends TCA Title 39 and Title 40. by *Yager, *Bowling, *Harris, *Roberts, *McNally. (*HB583 by *Coley, *Lamberth)

***Senate Bill No. 1297** -- Professions and Occupations - As introduced, specifies that the state board of cosmetology and barber examiners may suspend, revoke, or refuse to issue or renew a barber's certificate of registration due to the person having a felony conviction if the felony conviction occurred within three years prior to the board's decision. - Amends TCA Title 62. by *Niceley, *Harris, *Norris, *Stevens, *Kelsey. (HB1336 by *Daniel)

CONSENT CALENDAR

***House Bill No. 703** -- Courts - As introduced, permits a county that has elected to permit judicial commissioners to receive continuing education from the general sessions judge that appointed the commissioners, rather than the judicial commissioners association of Tennessee or the Tennessee court clerks association, to rescind that action by two-thirds majority vote; requires Robertson County to be subject to a \$2.00 litigation tax to fund continuing education for judicial commissioners. - Amends TCA Section 40-1-111 and Section 67-4-602. by *Kumar, *Lamberth, *Rogers.

House Bill No. 803 -- Military - As introduced, permits active duty members of the United States armed forces holding valid military commercial driver licenses whose duty station is located in this state to qualify for a waiver of the required commercial driver skills test. - Amends TCA Title 55, Chapter 50. by *Pitts, *Byrd, *Holt, *Reedy.

On motion, House Bill No. 803 was made to conform with **Senate Bill No. 368**; the Senate Bill was substituted for the House Bill.

***Senate Joint Resolution No. 35** -- General Assembly, Confirmation of Appointment - William Troutt, State Board of Education. by *Harris, *Norris.

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 212 -- State Government - As introduced, designates November as "Lung Cancer Awareness Month." - Amends TCA Title 4, Chapter 1. by *Spivey.

On motion, House Bill No. 212 was made to conform with **Senate Bill No. 208**; the Senate Bill was substituted for the House Bill.

***Senate Joint Resolution No. 92** -- General Assembly, Statement of Intent or Position - Encourages the Nuclear Regulatory Commission to support the license application of the Tennessee Valley Authority related to the safe operation of Watts Bar Unit 2. by *Yager, *McNally.

House Bill No. 1309 -- Cooperatives - As introduced, allows articles of incorporation of cooperative marketing associations to be amended under certain procedures to allow for a conversion to a general nonprofit corporation. - Amends TCA Title 43, Chapter 16. by *Swann.

On motion, House Bill No. 1309 was made to conform with **Senate Bill No. 852**; the Senate Bill was substituted for the House Bill.

***House Bill No. 149** -- Local Government, General - As introduced, removes time limitation on county legislative body's election to include certain personnel in the definition of "law enforcement officer" for purposes of the provisions governing the presumption that certain health impairments resulting in a law enforcement officer's death or personal injury are attributable to injury suffered in the course of employment, unless otherwise shown by medical evidence. - Amends TCA Title 7, Chapter 51. by *Jernigan, *Miller.

On motion, House Bill No. 149 was made to conform with **Senate Bill No. 436**; the Senate Bill was substituted for the House Bill.

House Bill No. 1093 -- Homestead Exemptions - As introduced, requires TACIR to study current homestead exemption amounts to determine whether the amounts should be increased to reflect the cost of living. - Amends TCA Title 26, Chapter 2. by *Armstrong, *Hill T.

On motion, House Bill No. 1093 was made to conform with **Senate Bill No. 1000**; the Senate Bill was substituted for the House Bill.

***House Joint Resolution No. 16** -- General Assembly, Statement of Intent or Position - Recommends all school administrators, teachers, parents, and students be educated about the potential health impact of heavy backpacks and take proactive measures to avoid injury. by *DeBerry.

House Bill No. 1390 -- Kingsport - As introduced, makes various charter revisions including clarifying powers of the board may be exercised by ordinance, resolution or motion; clarifying how vacancy filled when an alderman becomes mayor; revising bond requirements for employees who handle money; clarifying when employee may request hearing prior to

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

termination; clarifying that competitive bidding is required only when a contract involves expenditure of city funds. - Amends Chapter 76 of the Private Acts of 1917; as amended. by *Hulsey.

***House Bill No. 659** -- Students - As introduced, allows students to self-administer enzymes for cystic fibrosis or pancreatic insufficiency in certain circumstances. - Amends TCA Title 49. by *Reedy.

On motion, House Bill No. 659 was made to conform with **Senate Bill No. 724**; the Senate Bill was substituted for the House Bill.

***House Bill No. 260** -- Purchasing and Procurement - As introduced, requires the department of education to purchase technology, Internet, Internet connectivity, or e-learning services pursuant to a competitive purchasing process prescribed by an RFP. - Amends TCA Title 49, Chapter 3, Part 3. by *Coley.

On motion, House Bill No. 260 was made to conform with **Senate Bill No. 422**; the Senate Bill was substituted for the House Bill.

House Bill No. 1224 -- Traffic Safety - As introduced, exempts vehicles in a parade or community event from receiving a traffic citation based on evidence obtained from unmanned traffic enforcement cameras. - Amends TCA Section 55-8-198. by *Towns.

House Bill No. 1225 -- Tennessee Bureau of Investigation - As introduced, requires the annual TBI report on crime to contain demographic data, including the percentage of suspects, victims, and convicted offenders based on race, gender, age, nationality, and any other appropriate demographic, as determined by the director of TBI. - Amends TCA Title 38; Title 39 and Title 40. by *Towns.

***House Bill No. 617** -- State Employees - As introduced, revises obsolete language concerning automatic salary advancements for certain state-employed administrative professionals. - Amends TCA Section 8-50-102. by *Sexton J, *Casada.

On motion, House Bill No. 617 was made to conform with **Senate Bill No. 641**; the Senate Bill was substituted for the House Bill.

House Bill No. 1388 -- Westmoreland - As introduced, subject to local approval, exempts the city recorder from the requirement that office holders reside within two miles of the city limits; eliminates durational residency requirement of six months for an eligible appointment to the office of city recorder. - Amends Chapter 306 of the Private Acts of 1951; as amended. by *Lamberth.

***House Bill No. 1387** -- Henry County - As introduced, subject to local approval, increases, from five to seven, the number of members on the board of trustees of the county medical center. - Amends Chapter 176 of the Private Acts of 1953; as amended. by *Wirgau.

House Bill No. 20 -- Local Government, General - As introduced, expands presumptive disability in acquiring certain infectious diseases in the line of duty by emergency rescue

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

workers to include the hepatitis C virus. - Amends TCA Section 7-51-209. by *Johnson, *Faison, *McCormick, *Sargent, *Eldridge, *Lamberth, *Pitts, *Gilmore, *White M, *Reedy, *Hazlewood.

On motion, House Bill No. 20 was made to conform with **Senate Bill No. 20**; the Senate Bill was substituted for the House Bill.

***House Bill No. 112** -- School Transportation - As introduced, increases the permissible size of advertisements on school buses from 16 inches high and 60 inches long to 36 inches high and 90 inches long. - Amends TCA Title 49, Chapter 6. by *Eldridge.

On motion, House Bill No. 112 was made to conform with **Senate Bill No. 334**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1186** -- Sunset Laws - As introduced, extends the department of labor and workforce development, June 30, 2019, and requires the department to report back to the committee concerning the findings in its 2014 single audit report. - Amends TCA Title 4, Chapter 29, Part 2 and Title 4, Chapter 3. by *Faison.

House Bill No. 636 -- Fiscal Review Committee - As introduced, requires chair and vice chair of committee to be members of opposite houses; requires chair and vice chair positions to rotate between houses every two years. - Amends TCA Section 3-7-101(e). by *Sanderson, *Travis, *Sargent.

On motion, House Bill No. 636 was made to conform with **Senate Bill No. 179**; the Senate Bill was substituted for the House Bill.

***House Bill No. 494** -- Juvenile Offenders - As introduced, creates a new disposition option of taking a minor who violates curfew to a designated curfew center rather than juvenile court; revises other curfew provisions. - Amends TCA Title 39, Chapter 17, Part 17. by *Camper, *White M.

On motion, House Bill No. 494 was made to conform with **Senate Bill No. 666**; the Senate Bill was substituted for the House Bill.

***House Bill No. 286** -- Secretary of State - As introduced, requires additional copies of acts to be published in electronic format on the department of state's web site; requires each house of the general assembly to make available copies of their journals by publishing them on their respective web sites. - Amends TCA Title 12, Chapter 6. by *Moody, *Jernigan.

On motion, House Bill No. 286 was made to conform with **Senate Bill No. 363**; the Senate Bill was substituted for the House Bill.

***House Joint Resolution No. 288** -- Memorials, Professional Achievement - Timothy L. Amos, 30 years with the Tennessee Bankers Association. by *Fitzhugh.

House Joint Resolution No. 289 -- Memorials, Personal Occasion - Douglas and Audrey Manis, 50th wedding anniversary. by *Harrison.

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

House Joint Resolution No. 290 -- Memorials, Personal Occasion - Nell Duncan Goodson, 104th birthday. by *Harrison.

House Joint Resolution No. 292 -- Memorials, Interns - Leonard Brown Jr. by *Terry.

House Joint Resolution No. 293 -- Memorials, Recognition - Allen & Hoshall, 100 anniversary. by *White M.

House Joint Resolution No. 294 -- Memorials, Death - Robert Neff Sr. by *Kane.

House Joint Resolution No. 295 -- Memorials, Academic Achievement - Lexis Diana Covington, Top Four student, South Greene High School. by *Faison.

Senate Joint Resolution No. 267 -- Memorials, Retirement - William L. Crook. by *Haile.

OBJECTION--CONSENT CALENDAR

Objections were filed to the following on the Consent Calendar:

House Bill No. 1224: by Rep. Sargent

House Bill No. 1186: by Rep. McCormick

House Joint Resolution No. 288: by Rep. Fitzhugh

Under the rules, House Bills Nos. 1224, 1186 and House Joint Resolution No. 288 were placed at the heel of the calendar for April 14, 2015.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	94
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Casada, Clemmons, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 216** -- Administrative Procedure (UAPA) - As introduced, requires, instead of authorizes, the government operations committees to review every rule promulgated pursuant to the UAPA; decreases, from 25 to 10, the number of persons that must petition an agency to compel a public hearing on a proposed rule; requires the committees to consider the effect of a rule on small business and the arbitrariness and capriciousness of a rule. - Amends TCA Title 4, Chapter 5, Part 2. by *Daniel, *Ragan, *Kane, *Howell. (SB467 by *Bell)

Further consideration of House Bill No. 216, previously considered on April 8, 2015, at which time it was reset for today's Calendar.

Rep. Daniel moved that House Bill No. 216 be reset for the Regular Calendar on April 14, 2015, which motion prevailed.

***House Bill No. 197** -- Controlled Substances - As introduced, redefines "marijuana" to exempt low-THC cannabis oil obtained in another state; creates a Class C misdemeanor offense of possession of unlabeled low-THC cannabis oil without proof it was obtained legally. - Amends TCA Title 39, Chapter 17, Part 4 and Title 43, Chapter 26. by *Faison, *Jernigan, *Parkinson, *Carter, *Goins, *Sexton J, *White M, *Akbari, *Miller, *Hulsey, *Clemmons, *Favors, *Durham. (SB280 by *Massey, *Niceley, *Kyle, *Bowling, *Gardenhire)

Rep. Faison requested that House Bill No. 197 be moved down five spaces on today's Calendar, which motion prevailed.

House Bill No. 404 -- Alcohol Offenses, Sales - As introduced, creates a Class A misdemeanor for sale of powdered or crystalline alcohol. - Amends TCA Title 39, Chapter 17 and Title 57. by *Butt, *Lamberth, *Powell. (*SB374 by *Ketron)

On motion, House Bill No. 404 was made to conform with **Senate Bill No. 374**; the Senate Bill was substituted for the House Bill.

Rep. Butt moved that Senate Bill No. 374 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Butt moved that **Senate Bill No. 374** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes 0

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

House Bill No. 174 -- Juvenile Offenders - As introduced, authorizes the director of schools to expel or remand a student to an alternative school upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against the student; mandates the director of schools to expel a student upon the conviction of a felony or an admission of guilt to that felony delinquency against the student; establishes the notice, hearing, and appeal requirements for students expelled or remanded to an alternative school. - Amends TCA Title 37 and Title 49, Chapter 6. by *Butt. (*SB182 by *Hensley)

Rep. Butt moved that House Bill No. 174 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 174 by inserting the following language as a new section immediately preceding the effective date section and renumbering the effective date section accordingly:

SECTION __. Tennessee Code Annotated, Section 49-6-3401(a)(14), is amended by deleting the subdivision and substituting instead the following:

Off campus criminal behavior that results in the student being legally charged with an offense that would be classified as a felony if the student was charged as an adult or if adjudicated delinquent for an offense that would be classified as a felony if the student was an adult, or if the student was convicted of a felony, and the student's continued presence in school poses a danger to persons or property or disrupts the educational process. Notwithstanding § 37-1-131 or any other law to the contrary, the principal of the school in which the student is enrolled and the director of schools shall

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

determine the appropriate educational assignment for the student released for readmission.

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. Todd moved the previous question, which motion prevailed.

Rep. Butt moved that **House Bill No. 174**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes..... 6

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

Representatives voting no were: Clemmons, Cooper, Jones, Stewart, Towns, Turner -- 6

A motion to reconsider was tabled.

House Bill No. 808 -- Criminal Procedure - As introduced, expands a court's ability to admit into evidence a video recording of a forensic interview with a child to include an interview conducted by a forensic interviewer employed by a child advocacy center that is not a nonprofit corporation. - Amends TCA Section 9-4-213 and Section 24-7-123. by *Pitts. (*SB720 by *Green)

Rep. Pitts moved that House Bill No. 808 be passed on third and final consideration.

Rep. Pitts requested that House Bill No. 808 be moved down five spaces on today's Calendar, which motion prevailed.

***House Bill No. 32** -- Sports - As introduced, enacts the "Sudden Cardiac Arrest Prevention Act." - Amends TCA Title 68. by *Todd, *Fitzhugh, *Terry, *Favors, *Brooks H, *White M. (SB985 by *Norris, *Massey, *Briggs, *Crowe, *Tate, *Yager)

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

On motion, House Bill No. 32 was made to conform with **Senate Bill No. 985**; the Senate Bill was substituted for the House Bill.

Rep. Todd moved that Senate Bill No. 985 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. C. Sexton moved that Health Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Todd moved that **Senate Bill No. 985** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

Representatives voting no were: Towns -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on **Senate Bill No. 985** and have this statement entered in the Journal: Rep. Towns.

REGULAR CALENDAR, CONTINUED

***House Bill No. 197** -- Controlled Substances - As introduced, redefines "marijuana" to exempt low-THC cannabis oil obtained in another state; creates a Class C misdemeanor offense of possession of unlabeled low-THC cannabis oil without proof it was obtained legally. - Amends TCA Title 39, Chapter 17, Part 4 and Title 43, Chapter 26. by *Faison, *Jernigan,

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

*Parkinson, *Carter, *Goins, *Sexton J, *White M, *Akbari, *Miller, *Hulsey, *Clemmons, *Favors, *Durham. (SB280 by *Massey, *Niceley, *Kyle, *Bowling, *Gardenhire)

Further consideration of House Bill No. 197, previously considered today's Calendar at which time it was rolled five spaces.

Rep. Faison requested that House Bill No. 197 be moved down five spaces on today's Calendar, which motion prevailed.

House Bill No. 57 -- Human Rights - As introduced, enacts the "Racial Profiling Prevention Act," which requires each state and local law enforcement agency, including a university police department, to adopt, on or before January 1, 2016, a written policy that prohibits racial profiling. - Amends TCA Title 4; Title 38, Chapter 1 and Section 49-7-118. by *DeBerry, *Hardaway, *Lamberth, *McCormick. (*SB6 by *Kelsey)

Rep. DeBerry moved that House Bill No. 57 be reset for the Regular Calendar on April 14, 2015, which motion prevailed.

House Bill No. 1363 -- Game and Fish Laws - As introduced, requires cages at facilities for holding Class I wildlife be constructed and maintained to provide sufficient space for each animal to have adequate freedom of movement. - Amends TCA Title 70, Chapter 4, Part 4. by *Calfee. (*SB1273 by *Yager)

On motion, House Bill No. 1363 was made to conform with **Senate Bill No. 1273**; the Senate Bill was substituted for the House Bill.

Rep. Calfee moved that Senate Bill No. 1273 be passed on third and final consideration.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Calfee moved that **Senate Bill No. 1273** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller,

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 808 -- Criminal Procedure - As introduced, expands a court's ability to admit into evidence a video recording of a forensic interview with a child to include an interview conducted by a forensic interviewer employed by a child advocacy center that is not a nonprofit corporation. - Amends TCA Section 9-4-213 and Section 24-7-123. by *Pitts. (*SB720 by *Green)

Further consideration of House Bill No. 808, previously considered on today's Calendar.

Rep. Pitts requested that House Bill No. 808 be moved down ten spaces on today's Calendar, which motion prevailed.

House Bill No. 1355 -- Driver Licenses - As introduced, authorizes the department to use its discretion to accept other official military discharge or separation papers, instead of only a certified copy of a department of defense form 214 (DD 214), from a Tennessee veteran requesting to have language or a symbol placed on their driver license or photo identification card reflecting their military service. - Amends TCA Title 55, Chapter 50, Part 3. by *Calfee. (*SB1271 by *Yager, *Overbey)

On motion, House Bill No. 1355 was made to conform with **Senate Bill No. 1271**; the Senate Bill was substituted for the House Bill.

Rep. Calfee moved that Senate Bill No. 1271 be passed on third and final consideration.

Rep. Matlock moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Calfee moved that **Senate Bill No. 1271** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth,

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

***House Bill No. 197** -- Controlled Substances - As introduced, redefines "marijuana" to exempt low-THC cannabis oil obtained in another state; creates a Class C misdemeanor offense of possession of unlabeled low-THC cannabis oil without proof it was obtained legally. - Amends TCA Title 39, Chapter 17, Part 4 and Title 43, Chapter 26. by *Faison, *Jernigan, *Parkinson, *Carter, *Goins, *Sexton J, *White M, *Akbari, *Miller, *Hulsey, *Clemmons, *Favors, *Durham. (SB280 by *Massey, *Niceley, *Kyle, *Bowling, *Gardenhire)

Further consideration of House Bill No. 197, previously today's Calendar.

On motion, House Bill No. 197 was made to conform with **Senate Bill No. 280**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 280 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 280 by deleting the language "diagnosed with intractable seizures" in subdivision (A)(ii)(b) of the amendatory language of Section 1 of the bill as amended and substituting instead the language "diagnosed with intractable seizures or epilepsy".

On motion, Health Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Faison moved that **Senate Bill No. 280**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins,

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

Representatives present and not voting were: Cooper -- 1

A motion to reconsider was tabled.

House Bill No. 81 -- Environment and Conservation, Department of - As introduced, makes various changes to the regulation of petroleum underground storage tanks and waste. - Amends TCA Title 68, Chapter 211, Part 1; Title 68, Chapter 212 and Title 68, Chapter 215, Part 1. by *McCormick, *Brooks K, *Calfee. (*SB92 by *Norris, *Southerland, *Ketron)

On motion, House Bill No. 81 was made to conform with **Senate Bill No. 92**; the Senate Bill was substituted for the House Bill.

Rep. Calfee moved that Senate Bill No. 92 be passed on third and final consideration.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Calfee moved that **Senate Bill No. 92** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

House Bill No. 1360 -- Utilities, Utility Districts - As introduced, requires utility districts created by private act to elect, for purposes of the Occupational Safety and Health Act, whether

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

to be treated as private employers or to create their own programs of compliance. - Amends TCA Title 50, Chapter 3. by *Calfee. (*SB1274 by *Yager)

On motion, House Bill No. 1360 was made to conform with **Senate Bill No. 1274**; the Senate Bill was substituted for the House Bill.

Rep. Calfee moved that **Senate Bill No. 1274** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 1393 -- Pikeville - As introduced, subject to local approval, allows property owners who are not residents of the Town of Pikeville to vote in municipal elections. - Amends Chapter 574 of the Private Acts of 1939; as amended. by *Travis. (SB1418 by *Bailey)

Rep. Travis moved that **House Bill No. 1393** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes.....	2
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Daniel, DeBerry, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Mitchell, Moody, Parkinson, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

Representatives voting no were: Armstrong, Miller -- 2

Representatives present and not voting were: Cooper -- 1

A motion to reconsider was tabled.

House Bill No. 820 -- Utilities, Utility Districts - As introduced, reduces from 60 to 45 the amount of days that the board of commissioners of a water utility district has to provide nominees to the county mayor in single-county utility districts. - Amends TCA Title 7, Chapter 82. by *Doss. (*SB522 by *Hensley)

Rep. Doss moved that House Bill No. 820 be passed on third and final consideration.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 820 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 7-82-307(g), is amended by deleting the language "Within fourteen (14) days" from the first sentence in subdivision (3) and substituting instead the language "Within sixty (60) days".

SECTION 2. Tennessee Code Annotated, Section 7-82-307(g), is further amended by adding the following language as a new subdivision (5):

(5) No later than January 31 of each calendar year, any water utility district subject to this subsection (g) shall notify the county mayor of the county that created the utility district, in writing, of the beginning and ending dates of the terms of office of each member of the utility district's board of commissioners in office on January 1 of each calendar year.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Business and Utilities Committee Amendment No. 1 was adopted.

Rep. Doss moved that **House Bill No. 820**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes 0

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 1336 -- Professions and Occupations - As introduced, specifies that the state board of cosmetology and barber examiners may suspend, revoke, or refuse to issue or renew a barber's certificate of registration due to the person having a felony conviction if the felony conviction occurred within three years prior to the board's decision. - Amends TCA Title 62. by *Daniel. (*SB1297 by *Niceley, *Harris, *Norris, *Stevens, *Kelsey)

On motion, House Bill No. 1336 was made to conform with **Senate Bill No. 1297**; the Senate Bill was substituted for the House Bill.

Rep. Daniel moved that **Senate Bill No. 1297** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives present and not voting were: Cooper -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 1297** and have this statement entered in the Journal: Rep. Love.

REGULAR CALENDAR, CONTINUED

House Bill No. 1312 -- Highway Patrol - As introduced, enables members of the Tennessee highway patrol to authorize payroll deductions for the payment of membership dues for organizations that meet certain criteria. - Amends TCA Title 8. by *Swann, *Matlock. (*SB582 by *Overbey)

On motion, House Bill No. 1312 was made to conform with **Senate Bill No. 582**; the Senate Bill was substituted for the House Bill.

Rep. Swann moved that Senate Bill No. 582 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Swann moved that **Senate Bill No. 582** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 1308 -- Codes - As introduced, makes it a misdemeanor to own or operate a hotel with certain elements that emit carbon monoxide unless a carbon monoxide alarm is installed within 10 feet of every room used for sleeping; requires hotels built with certain elements that emit carbon monoxide on or after January 1, 2016, to have hardwired carbon monoxide alarms. - Amends TCA Title 68, Chapter 120. by *Swann, *Lynn. (*SB647 by *Ketron)

On motion, House Bill No. 1308 was made to conform with **Senate Bill No. 647**; the Senate Bill was substituted for the House Bill.

**MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

Rep. Swann moved that Senate Bill No. 647 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Swann moved that **Senate Bill No. 647** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

House Bill No. 808 -- Criminal Procedure - As introduced, expands a court's ability to admit into evidence a video recording of a forensic interview with a child to include an interview conducted by a forensic interviewer employed by a child advocacy center that is not a nonprofit corporation. - Amends TCA Section 9-4-213 and Section 24-7-123. by *Pitts. (*SB720 by *Green)

Further consideration of House Bill No. 808, previously considered today's Calendar.

On motion, House Bill No. 808 was made to conform with **Senate Bill No. 720**; the Senate Bill was substituted for the House Bill.

Rep. Pitts moved that **Senate Bill No. 720** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey,

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

House Bill No. 1307 -- Cemeteries - As introduced, makes various revisions to regulations governing cemetery companies or other entities engaged in the business of selling, leasing, or renting lots, grave spaces, crypts, niches, and burial rights for the interment of deceased persons; requires the commissioner of commerce and insurance to issue audit reports after auditing a cemetery company. - Amends TCA Title 46, Chapter 1 and Title 62. by *Swann. (*SB1235 by *Bell)

Rep. Swann moved that House Bill No. 1307 be passed on third and final consideration.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1307 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 46-1-102, is amended by deleting subdivision (15) and substituting instead the following:

(15) "Lawn crypts" means pre-installed, below-the-ground concrete chambers, either single or double depth, covered by earth or sod;

SECTION 2. Tennessee Code Annotated, Section 46-1-105(c), is amended by deleting the subsection and substituting instead the following:

No renewal of a certificate of registration shall be issued unless the applicant pays, in addition to the renewal fee, a consumer protection fee of twenty dollars (\$20.00) for every pre-need sales contract entered into during the preceding renewal period, except that the applicant shall not have to pay the consumer protection fee on any pre-need sales contract entered into that was subsequently cancelled prior to the applicant's request for renewal of a certificate of registration.

SECTION 3. Tennessee Code Annotated, Section 46-1-204(a), is amended by deleting the subsection and substituting instead the following:

(1) Every cemetery company engaged in the business of selling, leasing, or renting lots, grave spaces, crypts, niches, and burial rights in this state shall establish and forever maintain an improvement care trust fund to provide for the improvement, care, and maintenance of the following:

(A) Each separate cemetery;

(B) Each separate geographical location of each cemetery owned and operated by the cemetery company; and

(C) Each separate geographical location of a funeral home, or other individual or entity, that has niches or other areas or devices of interment for sale, lease, or rent.

(2) The trust fund required by this subsection (a) shall be established by executing a written trust agreement with a trust company approved by the commissioner, or with a state or national bank, or with savings and loan associations having insurance of accounts as required by law; provided, that a cemetery company may change the trustee of its trust fund by providing written notice to the commissioner no later than thirty (30) days prior to the change, along with sufficient evidence, as determined by the commissioner, that the trustee will be able to comply with the requirements of this chapter. If the commissioner determines that the evidence submitted is insufficient to ensure that the trustee will be able to comply with the requirements of this chapter, the commissioner may refuse to allow the cemetery company to change the trustee.

SECTION 4. Tennessee Code Annotated, Section 46-1-204(b)(3)(A), is amended by deleting subdivisions (i)—(iii) and substituting instead the following:

(i) For land, but not including lawn crypts or land donated without charge for the purpose of interring the remains of a deceased person who was under eighteen (18) years of age at the time of death, one dollar (\$1.00) per square foot of the land sold or twenty percent (20%) of the total transaction amount for the land, whichever is greater;

(ii) For a lawn crypt, twenty percent (20%) of the total transaction amount for the land excluding the lawn crypt or fifty dollars (\$50.00), whichever is greater;

(iii) For a mausoleum, crypt, niche, or any memorial other than a commodity, not less than ten percent (10%) of the total transaction amount for each item;

SECTION 5. Tennessee Code Annotated, Section 46-1-204(b)(3)(B), is amended by adding the following language immediately after the language "shall not be credited toward any future liability":

, except that a cemetery company may credit any payment, which was deposited into the improvement care trust fund from a contract that was subsequently canceled, toward any future liability as long as the credit is applied within twelve (12) months from the date of the cancellation date

SECTION 6. Tennessee Code Annotated, Section 46-1-204, is further amended by adding the following language as a new subsection:

(h) For purposes of this section, "cemetery company" includes any individual or entity that leases or rents crypts and niches, even if the individual or entity is not organized, owning, or controlling cemetery lands or property nor conducting the business of a cemetery.

SECTION 7. Tennessee Code Annotated, Section 46-1-209(b), is amended by deleting the language "twelve (12) consecutive months" and substituting instead the language "ninety (90) consecutive days".

SECTION 8. Tennessee Code Annotated, Section 46-1-303, is amended by adding the following language as new subsections:

(d) In the event of an audit of a cemetery company authorized by subsection (a), § 46-1-207, § 46-1-214(f), or § 46-1-306, the commissioner or the commissioner's duly authorized representatives shall provide the cemetery company with the following:

(1) A nonbinding, written exit report containing the initial findings of the audit no more than fourteen (14) days after the conclusion of the field audit on the premises of the cemetery; and

(2) A final written report or a results of examination letter detailing the official findings of the audit no more than sixty (60) days after the conclusion of the audit.

(e) Nothing in this section shall invalidate or in any way lessen any finding of an audit that is not issued within the timeframes described in subsection (d).

SECTION 9. This act shall take effect January 1, 2016, the public welfare requiring it.

On motion, Business and Utilities Committee Amendment No. 1 was adopted.

Rep. Swann moved that **House Bill No. 1307**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy,

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

House Bill No. 1347 -- Regional Authorities and Special Districts - As introduced, permits a railroad authority to negotiate all labor portions of certain rehabilitation contracts, instead of being restricted to negotiating only the nonbridge labor portion of such contracts. - Amends TCA Section 7-56-211. by *Weaver. (*SB281 by *Massey, *Bowling)

On motion, House Bill No. 1347 was made to conform with **Senate Bill No. 281**; the Senate Bill was substituted for the House Bill.

Rep. Weaver moved that **Senate Bill No. 281** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

Representatives voting no were: Shaw -- 1

A motion to reconsider was tabled.

House Bill No. 1341 -- Firearms and Ammunition - As introduced, prohibits the use of any public funds, personnel, or property to enforce any federal law or regulation that regulates the ownership, use, or possession of firearms, ammunition, or firearms accessories. - Amends TCA Title 38, Chapter 3. by *Weaver, *Womick, *Rogers, *Hill T, *VanHuss, *Butt, *Durham, *Terry, *Holt, *Keisling, *Byrd, *Reedy. (*SB1110 by *Briggs, *Stevens, *Yager)

On motion, House Bill No. 1341 was made to conform with **Senate Bill No. 1110**; the Senate Bill was substituted for the House Bill.

Rep. Weaver moved that Senate Bill No. 1110 be passed on third and final consideration.

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Lundberg moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Weaver moved that **Senate Bill No. 1110** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	74
Noes.....	20
Present and not voting.....	1

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 74

Representatives voting no were: Akbari, Armstrong, Camper, Clemmons, Cooper, Favors, Fitzhugh, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Stewart, Towns, Turner -- 20

Representatives present and not voting were: Beck -- 1

A motion to reconsider was tabled.

House Bill No. 1239 -- Sexual Offenses - As introduced, creates a protocol for the collection of sexual assault evidence kits, for the submission of certain kits to the police and then the TBI for forensic analysis; directs domestic violence coordinating council to draft model procedure manual for sexual assault evidence collection and maintenance for adoption by law enforcement agencies. - Amends TCA Title 29, Chapter 13, Part 1; Title 38, Chapter 6, Part 1 and Title 39, Chapter 13, Part 5. by *Miller, *Camper, *Cooper. (*SB981 by *Norris, *Kelsey)

Rep. Miller moved that House Bill No. 1239 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1239 by deleting all language after the enacting clause and substituting instead the following:

1076

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 13, Part 5, is amended by adding the following new, appropriately designated section:

(a) As used in this section, unless the context otherwise requires:

(1) “Forensic medical examination” means an examination by any healthcare provider who provides medical care and gathers evidence of a sexually oriented crime in a manner suitable for use in a court of law, provided to a victim reporting a sexually oriented crime to a healthcare provider;

(2) “Hold kit” means a sexual assault evidence collection kit of an adult victim that is coded with a number rather than a name pending the victim’s decision to report the crime to law enforcement authorities, and has not been submitted to the state crime lab or similar qualified laboratory;

(3) “Law enforcement agency” means:

(A) An established state or local agency that:

(i) Is responsible and has the duty to prevent and detect crime and enforce laws or local ordinances; and

(ii) Has employees who are authorized to make arrests for crimes while acting within the scope of their authority; and

(B) A campus security force created by an institution of higher education pursuant to § 49-7-118;

(4) “Sexual assault evidence collection kit” means evidence collected from the victim of a sexually oriented crime with a sexual assault evidence collection kit provided by the state of Tennessee;

(5) “Sexually oriented crime” means those crimes listed in § 29-13-118(b);

(6) “Victim” means a victim of a sexually oriented crime as defined in § 29-13-118(b);

(b) A victim of a sexually oriented crime is entitled to a forensic medical examination without charge to the victim as provided in § 29-13-118. Upon the conclusion of the forensic examination, the resulting sexual assault evidence collection kit or hold kit shall be released to a law enforcement agency by a healthcare provider for storage or transmission to the state crime lab or other similar qualified laboratory for either serology or deoxyribonucleic acid (DNA) testing.

(c)

(1) If an adult victim elects not to report the alleged offense to police at the time of the forensic medical examination, the sexual assault evidence collection kit becomes a hold kit, and the healthcare provider shall assign a number to identify the kit rather than use the victim's name. The healthcare provider shall provide the victim with the identifying number placed on the victim's hold kit, information about where and how long the kit will be stored, and the procedures for making a police report. The hold kit shall be released to the appropriate law enforcement agency for storage pursuant to subsection (d)(2).

(2) If an adult victim reports the alleged offense to the police, or the victim is a minor, the healthcare provider shall attach the victim's name to the sexual assault evidence collection kit, and it shall be released to the appropriate law enforcement agency.

(d)

(1) The law enforcement agency shall, within sixty (60) days of taking possession of the sexual assault evidence collection kit with the victim's name affixed to it, submit the kit to the Tennessee bureau of investigation or similar qualified laboratory for either serology or deoxyribonucleic acid (DNA) testing.

(2) Upon receipt of a hold kit with only an identification number attached to it, the law enforcement agency shall store the hold kit for a minimum of three (3) years or until the victim makes a police report, whichever event occurs first. Once the victim makes a police report, the law enforcement agency shall have sixty (60) days from the date of the police report to send the sexual assault evidence collection kit to the state crime lab or other similar qualified laboratory for either serology or deoxyribonucleic acid (DNA) testing. However, no hold kit shall be submitted to the state crime lab or similar laboratory for testing until the victim has made a police report.

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 13, Part 5, is further amended by adding the following new, appropriately designated section:

(a) To provide for the implementation and efficient operation of Section 1 and to ensure a uniform policy for the handling, maintenance, and testing of sexual assault evidence kits and hold kits, the domestic violence state coordinating council shall create a model policy for law enforcement agencies responding to reports of sexually oriented crimes.

(b) The model policy shall include guidelines for officers on:

(1) Investigating reports of sexually oriented crimes;

(2) Providing victim assistance;

(3) Collaborating with victim advocates, healthcare providers, and victim service agencies; and

(4) Collecting, storing, and submitting sexual assault evidence kits to the state crime lab or similar qualified laboratory for either serology or deoxyribonucleic acid (DNA) testing.

(c) The model policy shall be distributed to all law enforcement agencies that are likely to encounter reports of sexually oriented crimes on or before January 1, 2016.

(d) All law enforcement agencies that are likely to encounter reports of sexually oriented crimes shall establish written policies and procedures on responding to reports of sexually oriented crimes. An agency may adopt the model policy developed by the domestic violence state coordinating council or an agency may adopt its own policy, provided the policy includes the same or higher standards as the model policy developed by the council. Each agency shall adopt its written policy on or before July 1, 2016.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to all sexual assault evidence collected on or after this date.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Miller moved that **House Bill No. 1239**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

***House Bill No. 238** -- School Transportation - As introduced, extends the allowable number of years for a specially equipped school bus to be in service to 15 years; applies to school buses manufactured on or after July 1, 2005. - Amends TCA Title 49, Chapter 10, Part 1;

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Title 49, Chapter 10, Part 7 and Section 49-6-2109. by *Byrd, *Dunn, *Rogers, *Hardaway. (SB433 by *Bowling)

Rep. Byrd moved that House Bill No. 238 be passed on third and final consideration.

Rep. Matlock requested that Transportation Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 238 by deleting all language after the enacting clause and substituting instead the following: SECTION 1. Tennessee Code Annotated, Section 49-6-2109, is amended by adding the following as a new subsection:

(f)

(1) The board shall permit the use of Type A school buses for a period of fifteen (15) years of service. If a Type A school bus reaches the fifteenth year of service requiring discontinuance of its use during a school year, the owner of the bus shall be allowed to operate the bus throughout the remainder of the school year. The bus shall meet all requirements for continued safe use and operation during the remainder of the school year, and the owner of the bus shall immediately notify the department of safety in writing, via certified mail, when the bus reaches the fifteenth year requiring discontinuance.

(2) The board is authorized to promulgate rules to effectuate the purposes of this subsection (f). All such rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration & Planning Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Matlock moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Byrd moved that **House Bill No. 238**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	2

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

Representatives voting no were: Armstrong, Daniel -- 2

A motion to reconsider was tabled.

House Bill No. 787 -- Codes - As introduced, prohibits the requirement of fire sprinkler systems for townhouses by any local or statewide adopted building codes. - Amends TCA Title 68, Chapter 120. by *Williams, *Pitts, *McCormick, *Todd, *Eldridge, *Brooks K, *Goins. (*SB474 by *Bell)

On motion, House Bill No. 787 was made to conform with **Senate Bill No. 474**; the Senate Bill was substituted for the House Bill.

Rep. Williams moved that Senate Bill No. 474 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Todd moved the previous question, which motion prevailed.

Rep. Williams moved that **Senate Bill No. 474** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	74
Noes.....	18
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Butt, Calfee, Carter, Casada, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Kane, Keisling, Lamberth, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Towns, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 74

Representatives voting no were: Armstrong, Beck, Byrd, Clemmons, Dunlap, Favors, Fitzhugh, Hardaway, Haynes, Jones, Kumar, Lundberg, Miller, Mitchell, Parkinson, Powell, Stewart, Turner -- 18

Representatives present and not voting were: Shaw -- 1

1081

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A motion to reconsider was tabled.

House Bill No. 1165 -- Education, Higher - As introduced, authorizes the state treasurer to create the higher education foundation investment pool; allows higher education foundations to participate in the investment pool; requires the state treasurer to invest and manage funds in the pool. - Amends TCA Title 49, Chapter 7. by *Williams, *Goins. (*SB878 by *Gresham)

On motion, House Bill No. 1165 was made to conform with **Senate Bill No. 878**; the Senate Bill was substituted for the House Bill.

Rep. Williams moved that **Senate Bill No. 878** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

Representatives present and not voting were: Kane -- 1

A motion to reconsider was tabled.

House Bill No. 86 -- Drugs, Prescription - As introduced, clarifies and adds to present law licensure requirements for persons who provide warehousing or third-party logistics services with regard to controlled substances. - Amends TCA Title 53, Chapter 11, Part 3; Title 63, Chapter 10, Part 2 and Title 63, Chapter 10, Part 3. by *McCormick, *Brooks K. (*SB97 by *Norris, *McNally)

On motion, House Bill No. 86 was made to conform with **Senate Bill No. 97**; the Senate Bill was substituted for the House Bill.

Rep. Williams moved that Senate Bill No. 97 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Williams moved that **Senate Bill No. 97** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Farmer, Favors, Fitzhugh, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 567 -- Students - As introduced, prohibits an LEA from requiring more than the minimum graduation requirements for students enrolling or transferring in the 10th grade or later who are in the custody of the department of children's services to receive a full diploma. - Amends TCA Title 49, Chapter 6, Part 60. by *DeBerry. (*SB537 by *Gresham)

Rep. DeBerry moved that House Bill No. 567 be reset for the next available space on the next available calendar, which motion prevailed.

***House Bill No. 425** -- General Assembly - As introduced, expands the number of legislative committees required to receive a joint report from certain state boards and committees on the status of emergency medical services for children. - Amends TCA Title 63 and Title 68. by *Terry, *Hill T, *Pody, *Holt, *Womick, *Matheny, *Goins, *VanHuss, *Hill M, *Reedy, *Moody, *Kane, *Rogers, *Daniel, *Forgety, *Sexton J, *Williams, *Sexton C, *Carter, *Lamberth, *Ragan, *Beck, *Camper, *Pitts, *McCormick, *Weaver, *Hulsey, *Spivey, *Littleton, *Shepard, *Wilburn, *Butt, *Casada, *Love, *Gravitt, *Calfee, *Smith, *Sparks, *Eldridge. (SB1016 by *Dickerson)

Rep. Terry moved that House Bill No. 425 be passed on third and final consideration.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 425 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 6, Part 7, is amended by adding the following as a new section to be appropriately designated:

(a) This section may be known and cited as the “Kenneth Harry-Hill Tennessee Veterans Health Care Act of 2015.” This section may also be known as the “Mission Tennessee for Veterans Program.”

(b) In addition to any other health care authorized by this part, a licensed healthcare provider who is a member of the national guard in this state, under title 58, chapter 1, part 2, may provide healthcare services to veterans and other persons who lack health insurance at a free clinic operated on the site of an armory, as defined in § 58-1-507. The free clinic is authorized to provide limited primary health care, but not emergency care or urgent care services. Healthcare providers rendering services under this subsection shall be deemed to be engaging in the voluntary provision of healthcare services under this part.

(c)

(1) The military department is authorized to permit the use of an armory as a site of a free clinic on a temporary basis.

(2) The military department is also authorized to permit members of the national guard who are licensed healthcare providers in this state to volunteer at free clinics operated at an armory under this section.

(3) The military department is authorized to accept donations of medical supplies and services to assist the operation of a free clinic at an armory under this section.

(d) A free clinic operating under this section is authorized to participate in appropriate networks and public information activities in order to facilitate access to free healthcare services by veterans.

(e) The commissioner of health is authorized to promulgate rules to effectuate the purposes of this section. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(f) For the purposes of this section, “veteran” means a Tennessee resident who has entered and served in the United States armed forces and who was discharged or released therefrom under conditions other than dishonorable.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it.

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Terry moved that **House Bill No. 425**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

***House Bill No. 583** -- Criminal Procedure - As introduced, specifies that the defendant in a criminal case may not waive the defendant's right to a preliminary hearing without the consent of the state. - Amends TCA Title 39 and Title 40. by *Coley, *Lamberth. (SB1265 by *Yager, *Bowling, *Harris, *Roberts, *McNally)

On motion, House Bill No. 583 was made to conform with **Senate Bill No. 1265**; the Senate Bill was substituted for the House Bill.

Rep. Coley moved that Senate Bill No. 1265 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Coley moved that **Senate Bill No. 1265** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd,

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

***House Bill No. 269** -- Statutes of Limitations and Repose - As introduced, extends the period of limitation of prosecution for certain sexual offenses committed against a child to 25 years from the date the child becomes 18 years of age. - Amends TCA Title 40, Chapter 2. by *Coley. (SB373 by *Ketron, *Kelsey, *Bowling, *Kyle, *Massey, *Overbey, *Stevens)

On motion, House Bill No. 269 was made to conform with **Senate Bill No. 373**; the Senate Bill was substituted for the House Bill.

Rep. Coley moved that Senate Bill No. 373 be passed on third and final consideration.

Rep. Lundberg moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Coley moved that **Senate Bill No. 373** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 373** and have this statement entered in the Journal: Rep. Turner.

REGULAR CALENDAR, CONTINUED

House Bill No. 1392 -- School Districts, Special - As introduced, pursuant to the request of the Tenth special school district of Wilson County, permits the district to issue bonds or notes

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

in an amount of \$3 million or less and to issue bond anticipation notes in an amount of \$3 million or less. - Amends Chapter 330 of the Acts of 1901. by *Pody. (SB1416 by *Beavers)

Rep. Pody moved that **House Bill No. 1392** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 730** -- Motor Vehicles - As introduced, authorizes a motor vehicle dealer licensed to sell used motor vehicles to operate multiple businesses at the dealer's established place of business, if at least 66 percent of the dealer's established place of business is used for vehicle-related business purposes; authorizes the dealer to install signs at the dealer's established place of business to advertise the other businesses. - Amends TCA Title 55 and Title 67. by *Pody. (SB789 by *Beavers)

On motion, House Bill No. 730 was made to conform with **Senate Bill No. 789**; the Senate Bill was substituted for the House Bill.

Rep. Pody moved that Senate Bill No. 789 be passed on third and final consideration.

Rep. Matlock moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Pody moved that **Senate Bill No. 789** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes..... 6

Representatives voting aye were: Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shepard,

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Smith, Sparks, Spivey, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

Representatives voting no were: Armstrong, Jones, Parkinson, Powell, Shaw, Stewart --

6

A motion to reconsider was tabled.

House Bill No. 745 -- Handgun Permits - As introduced, creates a lifetime handgun carry permit which entitles the permit holder to carry any handgun that the permit holder legally owns or possesses without expiration; sets the application fee for a lifetime handgun carry permit at \$500. - Amends TCA Section 39-17-1351. by *Holsclaw, *Kumar, *Jernigan. (*SB700 by *Niceley)

Rep. Holsclaw moved that House Bill No. 745 be passed on third and final consideration.

Rep. Lundberg moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 745 by deleting subsection (x) of SECTION 3 and substituting instead the following:

(x)

(1) Any resident of Tennessee who is a United States citizen or lawful permanent resident, as defined by § 55-50-102, who has reached twenty-one (21) years of age, may apply to the department of safety for a lifetime handgun carry permit. If the applicant is not prohibited from purchasing or possessing a firearm in this state pursuant to § 39-17-1316 or § 39-17-1307(b), 18 U.S.C. § 922(g), or any other state or federal law, and the applicant otherwise meets all of the requirements of this section, the department shall issue a permit to the applicant. The lifetime handgun carry permit shall entitle the permit holder to carry any handgun or handguns the permit holder legally owns or possesses and shall entitle the permit holder to any privilege granted to handgun carry permit holders. The requirements imposed on handgun carry permit holders by this section shall also apply to lifetime handgun carry permit holders.

(2) The department shall charge an application and processing fee of five hundred dollars (\$500) for a lifetime handgun carry permit. The application process shall otherwise be the same as the application process for a handgun carry permit as set out in this section. Any funds from the fees paid pursuant to this subdivision (x)(2) that are not used for processing applications and issuing permits shall be retained by the department to fund any necessary system modifications required

to create a lifetime handgun carry permit and monitor the eligibility of lifetime handgun carry permit holders as required by subdivision (x)(3).

(3) A lifetime handgun carry permit shall not expire and shall continue to be valid for the life of the permit holder unless the permit holder no longer meets the requirements of this section. A lifetime handgun carry permit shall not be subject to renewal; provided, however, that every five (5) years after issuance of the lifetime handgun carry permit, the department shall conduct a criminal history record check in the same manner as required for handgun carry permit renewals. Upon discovery that a lifetime handgun carry permit holder no longer satisfies the requirements of this section, the department shall suspend or revoke the permit pursuant to § 39-17-1352.

(4)

(A) If the lifetime handgun carry permit holder's permit is suspended or revoked, the permit holder shall deliver, in person or by mail, the permit to the department within thirty (30) days of the suspension or revocation.

(B) If the department does not receive the lifetime handgun carry permit holder's suspended or revoked permit within thirty (30) days of the suspension or revocation, the department shall send notice to the permit holder that:

(i) The permit holder has thirty (30) days from the date of the notice to deliver the permit, in person or by mail, to the department; and

(ii) If the permit holder fails to deliver the suspended or revoked permit to the department within thirty (30) days of the date of the notice, the department will suspend the permit holder's driver license.

(C) If the department does not receive the lifetime handgun carry permit holder's suspended or revoked permit within thirty (30) days of the date of the notice provided by the department, the department shall suspend the permit holder's driver license in the same manner as provided in § 55-50-502.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. M. Hill moved the previous question, which motion prevailed.

Rep. Holsclaw moved that **House Bill No. 745**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90

1089

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**MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

Noes..... 3

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

Representatives voting no were: Cooper, Hardaway, Turner -- 3

A motion to reconsider was tabled.

House Bill No. 650 -- Education - As introduced, designates the first Thursday in September as Tennessee's day of prayer over students. - Amends TCA Title 4 and Title 49. by *Holsclaw, *Hawk, *Forgety, *Towns, *Love. (*SB202 by *Crowe, *Bowling, *Overbey)

On motion, House Bill No. 650 was made to conform with **Senate Bill No. 202**; the Senate Bill was substituted for the House Bill.

Rep. Holsclaw moved that Senate Bill No. 202 be passed on third and final consideration.

Rep. Forgety moved that Education Instruction & Programs Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Holsclaw moved that **Senate Bill No. 202** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 2

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

Representatives voting no were: Hardaway, Turner -- 2

1090

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A motion to reconsider was tabled.

***House Bill No. 534** -- Juvenile Offenders - As introduced, clarifies the definition of "violent juvenile sexual offender" to apply when the offender is between the ages of 14 and 18 when the qualifying act is committed. - Amends TCA Section 40-39-202. by *Holsclaw. (SB599 by *Kelsey)

On motion, House Bill No. 534 was made to conform with **Senate Bill No. 599**; the Senate Bill was substituted for the House Bill.

Rep. Todd moved the previous question, which motion prevailed.

Rep. Holsclaw moved that **Senate Bill No. 599** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	79
Noes.....	14

Representatives voting aye were: Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunlap, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 79

Representatives voting no were: Armstrong, Camper, Clemmons, Cooper, Favors, Hardaway, Jones, Miller, Mitchell, Parkinson, Shaw, Stewart, Towns, Turner -- 14

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on **Senate Bill No. 599** and have this statement entered in the Journal: Rep. Clemmons.

REGULAR CALENDAR, CONTINUED

House Bill No. 642 -- Alcoholic Beverages - As introduced, expands premises for consumption of alcoholic beverages to include area between a convention center, convention center hotel, museum, and one block of public roadway in Nashville upon majority vote of the local legislative body. - Amends TCA Section 57-4-102(27). by *Powell, *Casada, *Jernigan, *Mitchell, *Love, *Jones, *Gilmore, *Clemmons, *Beck, *Stewart. (*SB388 by *Dickerson)

Rep. Powell moved that House Bill No. 642 be passed on third and final consideration.

Rep. Hardaway moved the previous question, which motion prevailed.

Rep. Powell moved that **House Bill No. 642** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 60
Noes..... 26
Present and not voting..... 6

Representatives voting aye were: Akbari, Armstrong, Beck, Calfee, Camper, Carter, Casada, Clemmons, Cooper, Daniel, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Holsclaw, Hulsey, Jernigan, Johnson, Jones, Kumar, Lamberth, Littleton, Lundberg, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Powell, Ramsey, Sanderson, Sargent, Shaw, Shepard, Stewart, Swann, Terry, Todd, Towns, Turner, Weaver, White D., Wilburn, Williams, Wirgau, Womick -- 60

Representatives voting no were: Brooks H., Butt, Byrd, Coley, DeBerry, Dunlap, Dunn, Hill M., Hill T., Holt, Howell, Kane, Keisling, Lollar, Matlock, Moody, Pody, Ragan, Reedy, Rogers, Sexton C., Sexton J., Smith, Spivey, Van Huss, White M. -- 26

Representatives present and not voting were: Alexander, Doss, Lynn, Powers, Sparks, Windle -- 6

A motion to reconsider was tabled.

House Bill No. 151 -- TennCare - As introduced, enacts the "Annual Coverage Assessment Act of 2015." - Amends TCA Title 71, Chapter 5 and Chapter 877 of the Public Acts of 2014. by *Harrison, *Casada, *White M, *Hill T, *Moody, *Hawk, *Byrd, *McCormick, *Wirgau, *Littleton, *Farmer, *Calfee, *Reedy, *Williams, *Marsh, *Spivey, *Keisling, *Lamberth, *Todd, *Brooks H, *McDaniel, *Swann, *Brooks K, *Eldridge, *Holsclaw, *Hulsey, *Travis, *Haynes, *Goins, *Sanderson, *Daniel. (*SB125 by *Overbey, *Crowe, *Massey, *Yager)

Rep. Harrison moved that House Bill No. 151 be passed on third and final consideration.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 151 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, is amended by adding the following as a new part:

71-5-2801. This part shall be known and may be cited as the “Annual Coverage Assessment Act of 2015.”

71-5-2802. As used in this part, unless the context otherwise requires:

(1) “Annual coverage assessment” means the annual assessment imposed on covered hospitals as set forth in this part;

(2) “Annual coverage assessment base” is a covered hospital’s net patient revenue as shown in its medicare cost report for its fiscal year that ended during calendar year 2008, on file with the centers for medicare and medicaid services (CMS) as of September 30, 2009, subject to the following qualifications:

(A) If a covered hospital does not have a full twelve-month medicare cost report for 2008 on file with CMS as of September 30, 2009, but does have a full twelve-month medicare cost report for 2008 on file as of September 30, 2010, the twelve-month medicare cost report for 2008 on file with CMS as of September 30, 2010, will be the annual coverage assessment base;

(B) If a covered hospital does not have a full twelve-month medicare cost report on file with CMS for 2008, but does have a medicare cost report on file with CMS for 2009, that medicare cost report will be the annual coverage assessment base. If the covered hospital’s 2009 medicare cost report is for a partial year only, the net patient revenue in the medicare cost report shall be annualized to determine the hospital’s annual coverage assessment base;

(C) If a covered hospital was first licensed in 2010 or later and did not replace an existing hospital, the annual coverage assessment base is the covered hospital’s projected net patient revenue for its first full year of operation as shown in its certificate of need application filed with the health services and development agency. If the hospital has a medicare cost report on file with CMS, the hospital’s initial cost report on file with CMS shall be the base for the hospital assessment. If the hospital does not have an initial cost report on file with CMS but does have a complete twelve-month joint annual report filed with the department of health, the net patient revenue from the twelve-month joint annual report shall be the annual coverage assessment base;

(D) If a covered hospital was first licensed in 2010 or later and replaced an existing hospital, the annual coverage assessment base shall be the predecessor hospital’s net patient revenue as shown in its medicare cost report for its fiscal year that ended during calendar year 2008, on file with CMS as of

September 30, 2009, subject to the qualifications of subdivisions (2)(A) and (2)(B);

(E) If a covered hospital is not required to file an annual medicare cost report with CMS, then the hospital's annual coverage assessment base shall be its net patient revenue for the fiscal year ending during calendar year 2008 or the first fiscal year that the hospital was in operation after 2008 as shown in the covered hospital's joint annual report filed with the department of health; and

(F) If a covered hospital's fiscal year 2008 medicare cost report is not contained in the centers for medicare and medicaid services' healthcare cost report information system file dated September 30, 2009, and does not meet any of the other qualifications listed in subdivisions (2)(A)–(E), then the hospital shall submit a copy of the hospital's 2008 medicare cost report to the bureau of TennCare in order to allow for the determination of the hospital's net patient revenue for the state fiscal year 2015–2016 annual coverage assessment;

(3) "Bureau" means the bureau of TennCare;

(4) "CMS" means the federal centers for medicare and medicaid services;

(5) "Controlling person" means a person who, by ownership, contract, or otherwise, has the authority to control the business operations of a covered hospital. Indirect or direct ownership of ten percent (10%) or more of a covered hospital shall constitute control;

(6) "Covered hospital" means a hospital licensed under title 33 or title 68, as of the effective date of this part, except an excluded hospital;

(7) "Excluded hospital" means:

(A) A hospital that has been designated by CMS as a critical access hospital;

(B) A mental health hospital owned by the state of Tennessee;

(C) A hospital providing primarily rehabilitative or long-term acute care services;

(D) A children's research hospital that does not charge patients for services beyond that reimbursed by third-party payers; and

(E) A hospital that is determined by the bureau of TennCare as eligible to certify public expenditures for the purpose of securing federal medical assistance percentage payments;

(8) "Medicare cost report" means CMS-2552-96, the cost report for electronic filing of hospitals, for the period applicable as set forth in this section; and

(9) "Net patient revenue" means the amount calculated in accordance with generally accepted accounting principles for hospitals that is reported on Worksheet G-3, Column 1, Line 3, of the medicare cost report, excluding long-term care inpatient ancillary revenues.

71-5-2803.

(a) There is imposed on each covered hospital licensed as of July 1, 2015, an annual coverage assessment for fiscal year (FY) 2015–2016 as set forth in this part.

(b) The annual coverage assessment imposed by this part shall not be effective and validly imposed until the bureau has provided the Tennessee Hospital Association with written notice that includes:

(1) A determination from CMS that the annual coverage assessment is a permissible source of revenue that shall not adversely affect the amount of federal financial participation in the TennCare program;

(2) Approval from CMS for the distribution of the full amount of additional payments to hospitals to offset unreimbursed TennCare costs as set forth in § 71-5-2805(d)(2); and

(3) Full implementation of hospital payment rate variation corridors as defined in subdivision (b)(3)(C) established by the state's actuary and approved by the TennCare bureau for payments by managed care organizations to hospitals for services provided to TennCare enrollees as follows:

(A) Immediately upon the effective date of this part, the bureau shall implement provisions in its contractor risk agreements (CRAs) with all managed care organizations requiring payment rates for each hospital in the aggregate from all managed care organizations with which the hospital has network contracts to be no less than the minimum levels or more than the maximum levels set forth in subdivision (b)(3)(B). Compliance with these standards shall be in place no later than September 30, 2015, and shall be determined on the basis of the totality of all rates

for the hospital by all managed care organizations in the aggregate with which it has a network contract, rather than on the basis of rates for a hospital under a network contract with an individual managed care organization. Managed care organizations shall not enter into or maintain a single case agreement or contract with any hospital that authorizes or requires rates for the hospital that do not conform to the hospital payment variability standards set forth in this paragraph.

(B) On and after September 30, 2015, the minimum and maximum levels for aggregate rates to hospitals for services to TennCare enrollees shall be based on the percentages of each hospital's FFY 2011 medicare allowable reimbursement set forth in subdivision (b)(3)(C). Compliance with these minimum and maximum payment rates shall be determined on the basis of the totality of payments to a hospital for services to TennCare enrollees from all managed care organizations with which the hospital has a network contract. The variation corridors established by this subdivision (b)(3) are for the purpose of limiting the amount of variation in the rates paid by TennCare managed care organizations to hospitals, and this subdivision (b)(3) shall not be construed as creating a right by a hospital to receive actual reimbursement in the aggregate from all TennCare managed care organizations at levels within the variation corridors.

(C)

(i) For routine, nonspecialized inpatient services the minimum level is fifty percent (50%), and the maximum level is eighty percent (80%);

(ii) For outpatient services the minimum level is one hundred percent (100%), and the maximum level is one hundred four percent (104%);

(iii) For cardiac surgery services the minimum level is thirty percent (30%), and the maximum level is eighty percent (80%);

(iv) For specialized neonatal services the minimum level is four percent (4%), and the maximum level is one hundred eighty percent (180%); and

(v) For other specialized services the minimum level is thirty percent (30%), and the maximum level is one hundred sixty percent (160%).

(D) By July 1, 2015, the bureau shall promulgate and maintain rules implementing the requirements of this subdivision (b)(3), these rules to include:

(i) Provisions defining the categories of hospital services to which the levels set forth in subdivision (b)(3)(C) apply;

(ii) A description of the claims data that will be used to determine compliance with subdivision (b)(3);

(iii) The process by which the bureau, with assistance from its actuary, will verify that all agreements or contracts between managed care organizations and hospitals on September 30, 2015, and thereafter comply with the hospital payment rate variability standards set forth in this subdivision (b)(3)(D); and

(iv) Such other provisions as are necessary to carry out the requirements of this subdivision (b)(3). Notwithstanding any other law, the bureau is authorized to exercise emergency rulemaking authority to the extent necessary to meet the requirements of this subdivision (b)(3)(D).

(c) The general assembly intends that the proceeds of the annual coverage assessment not be used as a justification to reduce or eliminate state funding to the TennCare program. The annual coverage assessment shall not be effective and validly imposed if the coverage or the amount of revenue available for expenditure by the TennCare program in FY 2015–2016 is less than:

(1) The governor's FY 2015–2016 recommended budget level; plus

(2) All annual appropriations made by the general assembly to the TennCare program for FY 2015–2016, except to the extent new federal funding is available to replace funds that are appropriated as described in subdivision (c)(1) and that are above the amount that the state receives from CMS under the regular federal matching assistance percentage.

(d)

(1)

(A) The general assembly intends that the proceeds of the annual coverage assessment not be used as justification for any TennCare managed care organization (MCO) to implement across-the-board rate reductions to negotiated rates with covered or excluded hospitals or physicians in existence on July 1, 2015. For those rates in effect on July 1, 2015, the bureau shall include provisions in the managed care organizations' contractor risk agreements that prohibit the managed care organizations from implementing across-the-board rate reductions to covered or excluded network hospitals or physicians either by category or by type of provider. The requirements of the preceding sentence shall also apply to services or settings of care that are ancillary to a covered or excluded hospital or physician's primary license, but shall not apply to reductions in benefits or reimbursement for such ancillary services if the reductions:

(i) Are different from those items being restored in § 71-5-2805(d); and

(ii) Have been communicated in advance of implementation to the general assembly and the Tennessee Hospital Association.

(B)

(i) For purposes of this subsection (d), services or settings of care that are ancillary to a covered or excluded hospital or physician's primary license shall include all services where the physician or covered or excluded hospital, including a wholly owned subsidiary or controlled affiliate of a covered or excluded hospital or hospital system, holds more than a fifty percent (50%) controlling interest in such ancillary services or settings of care, but shall not include any other ancillary services or settings of care. For across-the-board rate reductions to ancillary services or settings of care, the bureau shall include appropriate requirements for notice to providers in the managed care organizations' contractor risk agreements.

(ii) For purposes of this subsection (d), services or settings of care that are "ancillary" shall mean, but not be limited to, ambulatory surgical facilities, outpatient treatment clinics or imaging

centers, dialysis centers, home health and related services, home infusion therapy services, outpatient rehabilitation, or skilled nursing services.

(iii) For purposes of this subsection (d), "physician" includes a physician licensed under title 63, chapter 6 or chapter 9, and a group practice of physicians that hold a contract with a managed care organization.

(2) This subsection (d) does not preclude good faith negotiations between managed care organizations and covered or excluded hospitals, hospital systems, and physicians on an individualized, case-by-case basis, nor is this subsection (d) intended by the general assembly to serve as justification for Tennessee managed care organizations, covered or excluded hospitals, hospital systems, or physicians to unreasonably deny any party the ability to enter into such individualized, case-by-case good faith negotiations. Such good faith negotiation necessarily implies mutual cooperation between the negotiating parties and may include, but is not limited to, the right to terminate contractual agreements, the ability to modify negotiated rates, pricing, or units of service, the ability to alter payment methodologies, and the ability to enforce existing managed care techniques or to implement new managed care techniques.

(3) This subsection (d) shall not preclude the full implementation of the requirements set forth in § 71-5-2803(b)(3).

(4) Notwithstanding any other provision of this subsection (d), if CMS mandates a TennCare program change or a change is required by state or federal law that impacts rates, and that change is required to be implemented by the MCOs in accordance with their contracts, or if the annual coverage assessment becomes invalid, then nothing in this part shall prohibit the managed care organizations from implementing any rate changes as may be mandated by the bureau or by state or federal law.

71-5-2804.

(a) The annual coverage assessment established for this part shall be four and fifty-two hundredths percent (4.52%) of a covered hospital's annual coverage assessment base.

(b) The annual coverage assessment shall be paid in equal quarterly installments, with the first quarterly payment due on the fifteenth day of the first month of the first quarter of the state fiscal year after the bureau has obtained the determination and approval from CMS described

in § 71-5-2803(b). Subsequent installments shall be due on the fifteenth day of the first month of the three (3) successive calendar quarters following the calendar quarter in which the first installment is due.

(c) To facilitate collection of the annual coverage assessment, the bureau shall send each covered hospital, at least thirty (30) days in advance of each quarterly payment due date, a notice of payment along with a return form developed by the bureau. Failure of a covered hospital to receive a notice and return form, however, shall not relieve a covered hospital from the obligation of timely payment. The bureau shall also post the return form on its web site.

(d) Failure of a covered hospital to pay a quarterly installment of the annual coverage assessment, when due, shall result in an imposition of a penalty of five hundred dollars (\$500) per day until such installment is paid in full.

(e) If a covered hospital ceases to operate after July 1, 2015, and before July 1, 2016, the hospital's total annual coverage assessment shall be equal to its annual coverage assessment base multiplied by a fraction, the denominator of which is the number of calendar days from July 1, 2015, until July 1, 2016, and the numerator of which is the number of days from July 1, 2015, until the date the board of licensing healthcare facilities has recorded as the date that the hospital ceased operation.

(f) If a covered hospital ceases operation prior to payment of its full annual coverage assessment, then the person or persons controlling the hospital as of the date the hospital ceased operation shall be jointly and severally responsible for any remaining annual coverage assessment installments and unpaid penalties associated with previous late payments.

(g) If a covered hospital fails to pay a quarterly installment of the annual coverage assessment within thirty (30) days of its due date, the bureau shall report such failure to the department that licenses the covered hospital. Notwithstanding any other law, failure of a covered hospital to pay a quarterly installment of the annual coverage assessment or any refund required by this part shall be considered a license deficiency and grounds for disciplinary action as set forth in the statutes and rules under which the covered hospital is licensed.

(h) In addition to the action required by subsection (g), the bureau is authorized to file a civil action against a covered hospital and its controlling person or persons to collect delinquent annual coverage assessment installments, late penalties, and refund obligations established by this part. Exclusive jurisdiction and venue for a civil action authorized by this subsection (h) shall be in the chancery court for Davidson County.

(i)

(1) If any federal agency with jurisdiction over this annual coverage assessment determines that the annual coverage assessment is not a valid source of revenue or that the methodology for distribution of the additional payments to hospitals from the annual coverage assessment is not valid after an installment has been collected, or if there is a reduction of the coverage and funding of the TennCare program contrary to § 71-5-2803(c), or if the requirements of § 71-5-2803(b) are not fully satisfied, or if one (1) or more managed care organizations impose rate reductions contrary to § 71-5-2803(d), then:

(A) The bureau shall refund to covered hospitals all installment payments previously collected within forty-five (45) days of such event;

(B) No subsequent installments of the annual coverage assessment shall be due and payable; and

(C) Covered hospitals that received payments pursuant to § 71-5-2805(d)(2) shall refund all such payments to the bureau within forty-five (45) days of the event, or shall establish a payment plan that has been approved by the bureau within forty-five (45) days of such event.

(2) Upon a determination being made pursuant to subdivision (i)(1), The bureau shall then have authority to make necessary changes to the TennCare budget to account for the loss of the annual coverage assessment revenue.

(j) A covered hospital or an association, the membership of which includes thirty (30) or more covered hospitals, shall have the right to file a petition for declaratory order pursuant to § 4-5-223 to determine if there has been a failure to satisfy one (1) of the conditions precedent to the valid imposition of the annual coverage assessment.

(k) A covered hospital may not increase charges or add a surcharge based on, or as a result of, the annual coverage assessment.

(l) Notwithstanding any other provision of this part, if the bureau receives notification from CMS of the determination and approval set forth in § 71-5-2803(b), and if the determination and approval have retroactive effective dates, then:

(1) Quarterly annual coverage assessment payments that become due by application of the retroactive determination date

from CMS shall be paid to the bureau within thirty (30) days of the bureau notifying the Tennessee Hospital Association that CMS has issued the determination; and

(2) Quarterly payments to covered hospitals required by § 71-5- 2805(d)(2) that become due by application of the retroactive approval date from CMS shall be paid within fifteen (15) days of the bureau notifying the Tennessee Hospital Association that CMS has issued such approval.

71-5-2805.

(a) The funds generated as a result of this part shall be deposited in the maintenance of coverage trust fund created by § 71-5-160, the existence of which is continued as provided in subsection (b). The fund shall not be used to replace any monies otherwise appropriated to the TennCare program by the general assembly or to replace any monies appropriated outside of the TennCare program.

(b) The maintenance of coverage trust fund shall continue without interruption and shall be operated in accordance with § 71-5-160 and this section.

(c) The maintenance of coverage trust fund shall consist of:

(1) All annual coverage assessments received by the bureau; and

(2) Investment earnings credited to the assets of the maintenance of coverage trust fund.

(d) Monies credited or deposited to the maintenance of coverage trust fund, together with all federal matching funds, shall be available to and used by the bureau only for expenditures in the TennCare program and shall include the following purposes:

(1) Expenditure for benefits and services under the TennCare program that would have been subject to reduction or elimination from TennCare funding for FY 2014–2015, except for the availability of one-time funding for that year only, as follows:

(A) Replacement of eight percent (8%) reduction in covered and excluded hospital and professional reimbursement rates described in the governor's FY 2015–2016 recommended budget;

(B) Maintenance of essential access hospital payments to the maximum allowed by CMS under the

TennCare waiver of at least one hundred million dollars (\$100,000,000);

(C) Maintenance of payments to critical access hospitals to achieve reimbursement of full cost of benefits provided to TennCare enrollees up to ten million dollars (\$10,000,000);

(D) Maintenance of reimbursement to offset critical access charity costs up to six million dollars (\$6,000,000);

(E) Maintenance of payments for graduate medical education of at least fifty million dollars (\$50,000,000);

(F) Maintenance of reimbursement for medicare part A crossover claims at the lesser of one hundred percent (100%) of medicare allowable or the billed amount;

(G) Funding to increase the rates for the lowest-paid hospitals to reduce the amount of variation in TennCare hospital rates for the same or similar services;

(H) Avoidance of any coverage limitations relative to the number of hospital inpatient days per year or annual cost of inpatient services for a TennCare enrollee;

(I) Avoidance of any coverage limitations relative to the number of nonemergency outpatient visits per year for a TennCare enrollee;

(J) Avoidance of any coverage limitations relative to the number of physician office visits per year for a TennCare enrollee;

(K) Avoidance of coverage limitations relative to the number of laboratory and diagnostic imaging encounters per year for a TennCare enrollee;

(L) Maintenance of coverage for occupational therapy, physical therapy, and speech therapy services; and

(M) Making Medicaid-disproportionate-share hospital payments at the maximum amount authorized by the federal Social Security Act for FY 2014–2015 or expanded essential access hospital (EAH) payments if approved by CMS;

(2)

(A) Solely from the annual coverage assessment payments received by the bureau, payments to covered hospitals to offset losses incurred in providing services to TennCare enrollees as set forth in this subdivision (d)(2);

(B) Each covered hospital shall be entitled to payments for FY 2014–2015 of a portion of its unreimbursed cost of providing services to TennCare enrollees. Unreimbursed TennCare costs are defined as the excess of TennCare cost over TennCare net revenue as reported on Schedule E, items (A)(1)(c) and (A)(1)(d) from the hospital's 2013 joint annual report filed with the department of health. TennCare costs are defined as the product of a facility's cost-to-charge ratio times TennCare charges. The amount of the payment to covered hospitals shall be no less than forty-seven and sixty-four hundredths percent (47.64%) of unreimbursed TennCare cost for all hospitals licensed by the state, excluding state-owned hospitals;

(C) The payments required by this subdivision (d)(2) shall be made in four (4) equal installments. Each installment payment shall be made by the third business day of four (4) successive calendar quarters, with the first calendar quarter to be the calendar quarter in which the annual coverage assessment is first levied in accordance with § 71-5-2804. The bureau shall provide to the Tennessee Hospital Association a schedule showing the quarterly payments to each hospital at least seven (7) days in advance of the payments;

(D) The payments required by this subdivision (d)(2) may be made by the bureau directly to the hospitals, or the bureau may transfer the funds to one (1) or more managed care organizations with the direction to make payments to hospitals as required by this subsection. The payments to a hospital pursuant to this subdivision (d)(2) shall not be considered part of the reimbursement to which a hospital is entitled under its contract with a TennCare managed care organization;

(3) Refunds to covered hospitals based on the payment of annual coverage assessments or penalties to the bureau through error, mistake, or a determination that the annual coverage assessment was invalidly imposed; and

(4)

(A) Solely from funds remaining in the trust fund as of June 30, 2015, payments, and expenditures in the TennCare program as follows:

(i) Up to seven million eight hundred eight thousand three hundred dollars (\$7,808,300) to replace up to one percent (1%) reduction in covered and excluded hospital and professional reimbursement rates described in the governor's FY 2015–2016 recommended budget;

(ii) Up to the total amount of six million dollars (\$6,000,000) to increase the reimbursement of covered and excluded hospitals and of professionals by five percent (5%) for services provided to enrollees covered by TennCare Select until the CoverKids population moves from the TennCare Select network to an MCO environment;

(iii) In the total amount of five hundred eighty-seven thousand dollars (\$587,000) to maintain reimbursement at the emergency care rate for nonemergent care to children aged twelve (12) to twenty-four (24) months to avoid the reduction described in the governor's FY 2015–2016 recommended budget; and

(iv) In the total amount of two million ninety-seven thousand nine hundred dollars (\$2,097,900) to the TennCare bureau to offset the elimination of the provision in the TennCare managed care contractor risk agreements for hospitals as follows:

“CRA 2.12.9.60-Specify in applicable provider agreements that all providers who participate in the federal 340B program give TennCare MCOs the benefit of 340B pricing.”

(B) Expenditures authorized under this subdivision (d)(4) shall be in addition to expenditures otherwise authorized under subdivisions (d)(1)–(3).

(e) If a hospital closes or changes status from a covered hospital to an excluded hospital and consequently reduces the amount of the annual coverage assessment to the extent that the amount is no longer sufficient to cover the total cost of the items included in subsection (d), the payments for these items may be adjusted by an amount equal to the shortfall, including the federal financial participation. The items to be

adjusted and the amounts of the adjustments shall be determined by the bureau in consultation with hospitals.

(f) The bureau shall modify the contracts with TennCare managed care organizations and otherwise take action necessary to assure the use and application of the assets of the maintenance of coverage trust fund, as described in subsection (d).

(g) The bureau shall submit requests to CMS to modify the medicaid state plan, the contractor risk agreements, or the TennCare II Section 1115 demonstration project, as necessary, to implement the requirements of this part.

(h) At quarterly intervals beginning September 1, 2015, the bureau shall submit a report to the finance, ways and means committees of the senate, and the house of representatives, to the health and welfare committee of the senate and to the health committee of the house of representatives, which report shall include:

(1) The status, if applicable, of the determination and approval by CMS set forth in § 71-5-2803(b) of the annual coverage assessment;

(2) The balance of funds in the maintenance of coverage trust fund; and

(3) The extent to which the maintenance of coverage trust fund has been used to carry out this part.

(i) No part of the maintenance of coverage trust fund shall be diverted to the general fund or used for any purpose other than as set forth in this part.

71-5-2806. This part shall expire on June 30, 2016; provided, however, that the following rights and obligations shall survive such expiration:

(1) The authority of the bureau to impose late payment penalties and to collect unpaid annual coverage assessments and required refunds;

(2) The rights of a covered hospital or an association of covered hospitals to file a petition for declaratory order to determine whether the annual coverage assessment has been validly imposed; and

(3) The existence of the maintenance of coverage trust fund and the obligation of the bureau to use and apply the assets of the maintenance of coverage trust fund; and

(4) The obligation of the bureau to implement and maintain the requirements of § 71-5-2803(b)(3).

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Harrison moved that **House Bill No. 151**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes.....	2
Present and not voting.....	2

Representatives voting aye were: Akbari, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Howell, Hulse, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Womick, Madam Speaker Harwell -- 91

Representatives voting no were: Lynn, Windle -- 2

Representatives present and not voting were: Alexander, Dunn -- 2

A motion to reconsider was tabled.

House Bill No. 1285 -- Healthcare Liability - As introduced, limits who may be named as defendants in a healthcare liability action. - Amends TCA Title 29, Chapter 26, Part 1. by *Durham. (*SB819 by *Kelsey)

Rep. Durham moved that House Bill No. 1285 be passed on third and final consideration.

Rep. Lundberg moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

1107

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

AMEND House Bill No. 1285 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION 3. Tennessee Code Annotated, Section 29-26-121(a), is amended by adding the following as a new subdivision:

(5) In the event a person, entity, or health care provider receives notice of a potential claim for health care liability pursuant to this subsection (a), the person, entity, or health care provider shall, within thirty (30) days of receiving the notice, based upon any reasonable knowledge and information available, provide written notice to the potential claimant of any other person, entity, or health care provider who may be a properly named defendant.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Durham moved that **House Bill No. 1285**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

House Bill No. 1286 -- Criminal Offenses - As introduced, makes various changes to the crime of obstructing a highway or other passageway, including prohibiting the obstruction of a driveway to which the public has access. - Amends TCA Title 39. by *Durham. (*SB798 by *Kelsey)

Rep. Durham moved that House Bill No. 1286 be reset for the next available space on the next available calendar, which motion prevailed.

House Bill No. 496 -- Criminal Procedure - As introduced, clarifies that each court clerk possessing records subject to an expunction order is required to remove and destroy the

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

records within 60 days of the date of the expunction order rather than the date of the filing of the petition. - Amends TCA Title 40, Chapter 32. by *Camper. (*SB140 by *Tate)

On motion, House Bill No. 496 was made to conform with **Senate Bill No. 140**; the Senate Bill was substituted for the House Bill.

Rep. Camper moved that Senate Bill No. 140 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Camper moved that **Senate Bill No. 140** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

House Bill No. 701 -- Campaigns and Campaign Finance - As introduced, allows candidate and political campaign committee to accept digital currency as a contribution; requires increase in value of digital currency to be reported as interest on statements filed with the registry of election finance; requires candidate to sell digital currency and deposit proceeds before spending the funds. - Amends TCA Title 2, Chapter 10. by *Faison. (*SB674 by *Dickerson)

Further consideration of House Bill No. 701, previously considered on April 9, 2015, at which time it was reset for today's Calendar.

Rep. Faison moved that House Bill No. 701 be reset for the Regular Calendar on April 14, 2015, which motion prevailed.

MOTION TO RECONSIDER

Senate Bill No. 984 -- Drugs, Prescription - As introduced, defines a "biological product" and an "interchangeable biological product" in the Tennessee Affordable Drug Act of 2005; authorizes a prescriber to substitute a prescribed biological product for an interchangeable biological product if certain requirements are met. - Amends TCA Title 53, Chapter 10. by *Norris. (*HB572 by *Sexton C, *Hazlewood)

Rep. C. Sexton moved to lift from the table the motion to reconsider action in passing Senate Bill No. 984, which motion prevailed.

Rep. C. Sexton moved to reconsider action in passing Senate Bill No. 984, which motion prevailed.

Rep. C. Sexton moved that Senate Bill No. 984 be passed on third and final consideration.

Rep. Williams moved to reconsider action in adopting Health Committee Amendment No. 5, as House Amendment No. 4, which motion prevailed.

Rep. Williams moved that Health Committee Amendment No. 5, as House Amendment No. 4, be withdrawn, which motion prevailed.

Rep. C. Sexton moved that House Amendment No. 5 be withdrawn, which motion prevailed.

Rep. C. Sexton moved adoption of House Amendment No. 6 as follows:

Amendment No. 6

AMEND Senate Bill No. 984 by deleting the language "by the prescriber" from subsection (n) of the amendatory language of Section 2, as amended, and substituting instead the language "to prescribers".

On motion, House Amendment No. 6 was adopted.

Rep. C. Sexton moved that **Senate Bill No. 984**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey,

Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 36** -- Students - As introduced, removes the requirement that grading policies of local boards of education must include student scores in a TCAP subject area as part of the student's grade in that subject area; permits a local board to have such policy if it so desires. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 6. by *Dunn, *Hardaway. (SB285 by *Briggs, *Bowling)

Senate Amendment No. 1

AMEND House Bill No. 36 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-1-617, is amended by designating the existing language as subsection (a) and adding the following language as new subsection (b):

(b) Notwithstanding subsection (a), if an LEA does not receive its students' TCAP scores at least five (5) instructional days before the end of the school year, then the LEA may choose not to include its students' TCAP scores in the students' final grades in the subject areas of mathematics, English language arts, science, and social studies.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Dunn moved that the House concur in Senate Amendment No. 1 to **House Bill No. 36**, which motion prevailed by the following vote:

Ayes 83
Noes 10

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Calfee, Camper, Carter, Casada, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Parkinson, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey,

MONDAY, APRIL 13, 2015 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Womick, Madam Speaker Harwell -- 83

Representatives voting no were: Byrd, Clemmons, Dunlap, Fitzhugh, Mitchell, Pitts, Powell, Stewart, Towns, Windle -- 10

A motion to reconsider was tabled.

MESSAGE CALENDAR NO. 2

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 995** -- Firearms and Ammunition - As introduced, allows a person with a handgun carry permit to carry a firearm in any state, county, or municipal park or other recreation area; deletes provisions allowing local governments to prohibit carrying in parks by resolution or ordinance. - Amends TCA Title 39, Chapter 17, Part 13. by *Harrison, *Holsclaw, *Goins, *Dunn, *Todd, *Lundberg, *Haynes, *Eldridge.

Harrison moved that the House refused to recede from its action in non-concurring in Senate Amendment No. 2 to **House Bill No. 995**, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTED
ON HOUSE BILL NO. 995**

Pursuant to **Rule No. 73**, Representative Harrison moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 995, which motion prevailed.

The Speaker appointed Representatives Harrison, Goins and Love as the House members of the Conference Committee on House Bill No. 995.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bills Nos. 96, 1011, 198 and 606** to be placed on the pre-budget calendar this week, which motion prevailed.

RULES SUSPENDED

Rep. Beck moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 315 out of order, which motion prevailed.

House Joint Resolution No. 315 -- Memorials, Sports - Honors the return of professional baseball to historic Sulphur Dell. by *Beck.

1112

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

On motion, the rules were suspended for the immediate consideration of the resolution.

Rep. Beck moved all member of the Davidson County delegation voting in the affirmative to be added as co-prime sponsors, which motion prevailed.

On motion of Rep. Beck, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Beck moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 316 out of order, which motion prevailed.

House Joint Resolution No. 316 -- Memorials, Recognition - Dalewood United Methodist Church, 65th anniversary. by *Beck.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Beck, the resolution was adopted.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 10 Rep. K. Brooks as prime sponsor.

House Bill No. 48 Rep. Sargent as first prime sponsor.

House Bill No. 57 Reps. Terry, Sparks, Love, Towns, Akbari and Camper as prime sponsors.

House Bill No. 147 Rep. Holt as prime sponsor.

House Bill No. 179 Rep. Hardaway as prime sponsor.

House Bill No. 216 Reps. Rogers and Carter as prime sponsors.

House Bill No. 232 Rep. K. Brooks as prime sponsor.

House Bill No. 645 Rep. Hazlewood as prime sponsor.

House Bill No. 936 Rep. Beck as prime sponsor.

House Bill No. 992 Rep. Clemmons as prime sponsor.

House Bill No. 1011 Reps. Casada, Sargent and Durham as prime sponsors.

House Bill No. 1035 Rep. Littleton as prime sponsor.

House Bill No. 1089 Rep. Terry as prime sponsor.

House Bill No. 1224 Rep. Hardaway as prime sponsor.

House Bill No. 1342 Rep. Gravitt as prime sponsor.

SPONSORS REMOVED

On motion, Rep. Faison was removed as sponsor of **House Bill No. 615**.

**MESSAGE FROM THE GOVERNOR
April 13, 2015**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 162, 234, 235, 236, 238, 239, 240, 241, 242, 243, 244, 245, 246 and 247; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

**MESSAGE FROM THE SENATE
April 13, 2015**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 325 and 1004; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 13, 2015**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 140; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 140** -- Criminal Procedure - As introduced, clarifies that each court clerk possessing records subject to an expunction order is required to remove and destroy the records within 60 days of the date of the expunction order rather than the date of the filing of the petition. - Amends TCA Title 40, Chapter 32. by *Tate. (HB496 by *Camper)

**MESSAGE FROM THE SENATE
April 13, 2015**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution No. 265; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
April 13, 2015**

The Speaker announced that she had signed the following: Senate Bills Nos. 172, 204, 250, 325, 510, 594, 893, 1004 and 1088.

JOE MCCORD, Chief Clerk

**ENGROSSED BILLS
April 13, 2015**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 1239;

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 13, 2015**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 125, 153, 158, 218, 308, 811, 1051 and 1255; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 13, 2015**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 88, 113, 118, 147, 171, 201, 215, 235, 323, 473, 753, 1005 and 1240; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS
April 13, 2015**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 151, 174, 238, 425, 642, 703, 745, 820, 1225, 1285, 1307, 1387, 1388, 1390, 1392 and 1393; also House Joint Resolutions Nos. 16, 289, 290, 292, 293, 294, 295, 315 and 316.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS
April 13, 2015**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 36; and House Joint Resolution No. 265; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
April 13, 2015**

The Speaker announced that she had signed the following: House Joint Resolution No. 265.

GREG GLASS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 97

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

RECESS

On motion of Rep. McCormick, the House stood in recess until 9:00 a.m., Tuesday, April 14, 2015.